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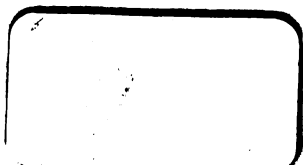
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# ADDRESS

OF

His Excellency the Governor,

TO

BOTH BRANCHES OF THE GENERAL COURT,

OF

NEW HAMPSHIRE,

JUNE SESSION,

1843.

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# ADDRESS.

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*Fellow citizens of the Senate  
and of the House of Representatives :*

Having now taken the oaths prescribed by our constitution, as preliminary to my entrance upon the discharge of the public duties of chief executive magistrate, to which office I have again been elected by the freemen of New Hampshire, I desire to make known to the people the deep sense of gratitude, I feel for this reiterated expression of their confidence.

The peculiar circumstances which have attended the recent elections in this State, cannot fail to impress our minds that there is a much greater cause for joy, than that resulting from mere individual success. It is for the triumph of those great principles, which are as dear to freemen as liberty herself, that renders the result of the late election matter of deep and abiding gratulation to the friends of equal rights and of equal privileges.

On this interesting occasion, it is assuredly fit that we should render to the Author of every good the homage of grateful hearts for His paternal care over us for the past year, for His goodness in having sustained the diversified interests of this Commonwealth, and for securing to the people the unimpaired continuance of social, religious and civil liberty.

What an impressive illustration is here presented of the character of our free and happy government! We assemble at stated periods, as the representatives of an intelligent and patriotic people, to enact laws for their as well as for our own guidance. A great change in that representation annually occurs : around me I observe men whom I did not meet in

this place at the commencement of the last political year: and many were then assembled here who did not belong to either branch of the government the year preceding—affording evidence of the truth of that saying, which lies at the foundation of all our institutions, “*that political power emanates from the people*”—that they are emphatically the true sovereigns of this free representative government—that we are all here as their public servants, to carry out their will and to become the exponents of their opinions. It is this great and invaluable principle which makes the distinguishing feature in our government—the one which elevates it high and above all forms and political compacts which have hitherto been devised.

In my address to the Legislature at the commencement of the last political year, I recommended sundry alterations and amendments in the then existing statutes. I regarded them all as essentially connected with the true interests of the people. Notwithstanding the convictions impressed upon my own mind as to the importance of the changes then suggested, I shall not at this time call your attention to those subjects, as I do not intend to propose on the present occasion any special alterations in our system of laws. I shall commit the whole subject to your discrimination and good judgment. If any amendments in our statutes are in your opinion necessary for the promotion of the public good, your own observation will readily suggest them. I prefer to leave the whole matter to your discretion, rather than to recommend particular changes.

Correct principles of legislation must always in a government founded upon law, be of engrossing interest to the representatives of the people. The first object of an intelligent community is to ascertain and establish the principles on which the government should be founded. In the written constitution of the various states of the Union and of the United States, the attempt is made with greater or less success to define with precision the general rights and duties

which belong to individuals in their relation to each other, and to the public. That these attempts in the absence of experience should always be successful, was not to be expected by liberal and reflecting men. That timid reasoners, fearful even of improvement if it involved the necessity of a change, should sometimes mistake the form for the substance, must have been anticipated. That a prejudice should sometimes have been elevated into a principle, cherished with sacred care and embalmed in the chosen repositories of political truth, cannot surprise those who remember that it is with nations as it is with individuals; each must reach manhood before the crude notions of youth can be corrected. That superficial thinkers should adopt ill-digested plans upon partial and narrow views—that sanguine and intolerant men should strive to make the opinions of others assume the shape in which alone they could see truth—was less to be wondered at, than an unsettled state of society in which there should be neither shallowness nor intolerance. But the traces of the timid and the prejudiced, the superficial and the intolerant are not sufficient to destroy the harmony of a constitution formed by men sincerely anxious to attain to the knowledge of political truth. With all their defects the principles of our constitutions are expansive and comprehensive enough to admit of a legislation adapted to the daily increasing wants and refinements of civilized life, and to our keener appreciation of the true objects of all human society, the improvement of individuals in physical comfort and intellectual independence, and their progress in moral and religious attainments.

A constitutional theory admitted to be erroneous and upon which no legislation is ever founded, although it may injure the symmetry of the instrument as a work of art, may not lessen its value, on the whole, as a summary of political truth, and as each year, it is to be hoped, adds to our stock of political knowledge, we are less liable to confound accidental defects with principles of acknowledged truth. No wise constitution ever embodied in itself, as a principle to be acted upon,

any intolerant theory of government, of religion or morals. No educated and thoughtful people ever acted upon any such theory, and no people whatever ever practised it without sooner or later becoming the victims of their own blindness. We learn to tolerate a theoretical defect in a constitution, as we learn to bear with the follies and vices of our race. And these mankind are beginning to perceive, can better be corrected by time and patience than expelled by violent remedies. In legislation experience teaches us that, except in extreme cases, it is better to pause, until the operation of a system can be understood, than, because we may think it theoretically wrong, suddenly to introduce another on which experience has thrown as little light.

Since the adjournment, of the last session the Revised Statutes of New Hampshire have been published and laid before the people. In the month of March last in pursuance of the duty imposed upon me by the resolution adopted at the last session of the Legislature, I made a careful examination of the manner in which the public printers of the State had performed their contract. The result of that investigation was that their duties had been scrupulously fulfilled. The volume is well bound and printed upon paper and with type fully equal to the terms of their agreement. The work is remarkably free from typographical errors. In several instances errors and omissions in the copy furnished them by the Legislature, are noticed in the book in such a way as to draw your attention to them and enable you to legislate upon such particulars as may seem to require it.

The publication of the laws of the State in this revised form is undoubtedly a great improvement upon the former system. The cumbersome and ungrammatical phraseology of many of the statutes has been corrected. The involved and obscure meaning of many sections has been elicited and enunciated in distinct and intelligible propositions: provisions upon the same subject, but separated from each other by wide intervals of years and pages, have been brought to-

gether and classified. Repealed statutes have been omitted and a general character of compactness and simplicity has been given to the whole. All persons of reflection and all those whose duty it is either to examine or expound the laws, can readily perceive that the labor and expense devoted to this object, have met with a satisfactory reward. It would be difficult to find two gentlemen who, in the very short period allowed them to complete so laborious a task, would have performed it so well and so thoroughly as Messrs. Bell and Fox, the commissioners appointed by my predecessor to perform that duty. That there are defects and omissions in the book as now published, which a longer time for examination would have enabled the Legislature to discover, and which would have been remedied by greater caution, is not improbable. It would be wonderful indeed, if from the haste and carelessness which have disfigured many of our statutes for the last fifty years, we had at once been awakened to the necessity of bestowing upon the enactment of the laws that patient care and studious diligence which are requisite to the perfection of every other intellectual effort. The improvement already made is a great and essential one and will undoubtedly be valuable both in its immediate and practical effects, and as an example. It is singular that, compared with other subjects of human interest, the business of careful legislation should have occupied so little of the attention of the community. It is not, surely, that the subject is one that requires but little intellectual effort. There is in truth no matter of temporal concern that requires so much. A good system of laws founded upon and in harmony with the principles of a free government, adapted to the wants of the people, comprehensive enough to embrace within its range all their essential rights and duties, but not sufficiently minute in its details to become oppressive in its operations, is one of the most difficult, as it is one of the rarest, achievements of human skill. The names of great lawgivers have been handed down to pos-

terity as the greatest benefactors of mankind. Properly to perform this duty requires not only great abilities, a well disciplined mind and habits of accurate thought, but indefatigable perseverance ; a clear perception of the object to be attained ; its consistency with the general plan, and the invaluable power of close and patient attention. It would be unreasonable for us to repine at the absence of great jurists, for they are seldom found among mankind. But if the genius of a great lawgiver does not exist among us, we are still unpardonable, if we regard legislation as an irksome task which we may slight or evade without a violation of our official oaths. The more unpresuming virtues of industry, caution and investigation, it is to be hoped, still exist among us. There can be no sufficient excuse for hasty and careless legislation. We require of the advocate who manages our causes, the physician who prescribes for our diseases, of the architect who constructs our buildings, that each of them shall call into exercise his best efforts, and shall apply the principles of his art to the conduct of our business. We expect them to consider the object to be attained, to perceive all the obstacles in the way of success, to view the subject in all its bearings, and to take time enough to assure themselves that the best mode is adopted. No less, surely, ought to be required or expected of the legislator. The man who enunciates a proposition in mathematics, without considering the result to which his principle will lead him, or who promulgates a doctrine in morals, without reflecting on its operation upon the happiness of the community, we look upon as a pretender, and unworthy of our confidence. And certain it is that there can be no duty more responsible or more important, than that which we owe to those who sent us here—no interests more momentous than those confided to our keeping ; and yet legislation is too often regarded not as a serious duty, involving the happiness of the community and calling for self denial, labor and forethought. Laws are too frequently passed without sufficient

consideration, to answer a temporary purpose, and upon a partial view of the subject. When such laws go into operation, they are found to be defective, and their defects beget a necessity for the passage of other laws: these in their turn soon require amendment, until the system becomes a crude mass of contradictory provisions, almost defying analysis and discouraging the most faithful and diligent inquirer. Changes are then proposed in the laws to remedy existing defects, and alterations are from time to time made without fully accomplishing the purpose designed. Evils exist, much time and money are squandered in litigation, until the public attention is aroused, and the people become convinced that a farther expenditure of time and money is necessary, to avoid the evils which should have been avoided in the beginning. Such was the conviction growing out of the state and condition of our system of laws, as it existed anterior to the late revision. The interests and the happiness of the people demanded a revision of our public statutes. The work has been done, existing evils have been remedied, a system has been arranged, with a precision, order and method required by the wants of the people.

It should be our end and aim, and the end and aim of those who come after us, not to mar this system by hasty legislation—if defects shall hereafter be discovered, to provide for such defects in that plain, direct and intelligible manner, as will add beauty and strength to the work.

But after all that has been done—after all the evils have been remedied so far as human skill will avail—certain it is that litigation will arise. It is idle to suppose that, under the Revised Statutes or under any system of laws which the wisdom of man ever devised, litigation will cease or will ever be essentially diminished. We are no better than those who have gone before us—have the same frailties as those of olden time; the same passions and prejudices, the same ambition and selfishness, that characterized the chosen people for whom, thousands of years ago, the Al-

mighty dictated a code of civil government, imposing penalties for their offences and regulating their controversies. The passions which, five hundred years since, placed men in battle array against each other, now find vent in the peaceful arena of a court of justice; and judges and jurors in their respective provinces, pass upon questions and determine rights which were once adjudicated by the sword. Men are made of the same clay and are agitated by the same passions as of old. Christianity, however, and a more accurate view of the objects of human society, have taught us that reason and law are the best safeguards of human happiness. Litigation will exist so long as men are the creatures of impulse, so long as craft and cunning turn us away from the right path, or pride and obstinacy render us callous to our sense of duty. The imperceptible but sure changes that are constantly going on in manners, in notions of government and in the appreciation of our rights, afford food for discussion, which too frequently terminates in litigation. And when we consider that no one case in all its particulars can ever afford an exact precedent for another, and that in the infinite variety of human circumstances no case was ever exactly like another, we cease to wonder that men plunge into controversies. The utmost that legislation can do, is to adopt a system of general rules, within which all probable cases may be included, in order that, if there must be litigation, the parties may reach the actual merits of their disputes, without wasting their strength in vain endeavors to ascertain the meaning of the lawgivers, and to obtain a judicial construction of their acts.

I have thus alluded to the defects in our legislation, because I think they are evils common to and increasing in every part of America. The fatal facility of making laws in the thirty legislative assemblies of the United States, has caused an accumulation of statutes embarrassing to the courts and to the bar, and injurious to the people; and the ease with which public laws are passed in our own State,

should not fail to excite a spirit of great vigilance and caution. In a single hour an important act may go through all the forms of legislation and become the law of the land, at the time believed to be harmless in its provisions, called for by the interests of the State, and tending in no respect to the injury of individuals. Yet, a short experience affords proof that this legislation was uncalled for, was unwise, and in its effects prejudicial to the interests of the State and disastrous to the rights of the citizen. It has occurred to me from the best reflections which I have been able to give to the subject, that no public act passed at one session of the Legislature should take effect until thirty days at least after the commencement of the next succeeding session, and that the same limitation should be imposed upon all private acts, which can by possibility either affect the interests of the State or of individuals. Such a provision would take away, in all probability, the practical evils ordinarily resulting from hasty legislation. It is an undeniable fact that the frequency of change in our public laws is an evil, and if such evils occur, they should be commented on plainly and decidedly. I speak decidedly, because I feel deeply the importance of the subject. I speak with a confidence that my remarks will be taken in the same spirit which actuates me in making them, and with an earnest hope that the representatives of so orderly, so industrious and so religious a people as the citizens of New Hampshire, will hereafter be ambitious not to increase the number of the laws, but with patience and forbearance to ascertain the positive defects in the existing legislation, and then to apply such correctives as the nature of the case may require. Having so recently given to the public our system of statute law, it is but the part of wisdom to suffer it to remain unchanged, until experience shall suggest defects which the condition of society, the wants of the people and a regard to their true interests require should be remedied.

Our primary schools richly deserve at all times the pat-

ronage and encouragement of the legislature. Our government is based upon the virtue of the people: that virtue is best preserved as knowledge shall be most diffused. As the means of education, the nurseries of pure morals and the sources of undefiled religion, these primary institutions of our country have within the last twelve months excited much of the public attention. A new impulse has been given to the public mind, and a new spirit has been awakened to the importance of our common schools for the spread of morality and religion, for the diffusion of intelligence among the people and for the preservation of our republican institutions.

Those patriots who framed the constitution of our State, incorporated into that instrument a sentiment worthy of themselves, that knowledge and learning generally diffused through a community were essential to the preservation of a free government, and that it was the bounden duty of legislators and magistrates to cherish the interests of all seminaries and public schools. This injunction of our political fathers should never be forgotten or disregarded by the friends of popular liberty. In my first address to the legislature I alluded to the republican character of our free school system. I then remarked that in those institutions are imparted to the youth of our State that love of civil and religious liberty, that high devotion to the cause of human rights, which lead to the unfailing exertion of their energies and of their efforts for the security of individual and public freedom. The constitution of our primary schools points them out as especially meriting public confidence and public support. The scholars in these seminaries must be on terms of strict equality, and mingle together exclusively for instruction. The children of the poor as well as of the rich—those emanating from the laboring classes, as well as those from the independent portions of our community—enjoy the same rights and the same privileges: they commence their course of study—enter upon the acquisition of

knowledge, under like influences and with like hopes. Our primary schools may well be denominated public institutions. They are sustained at the public charge, are dedicated to the use of all the youth of certain ages within the limits of our State, and a direct benefit is periodically realized by the education of the sons and daughters of our republic. Our free school system may be considered as the heart of the body politic, and the streams which are continually flowing from it, give health, vigor and strength to all the members of our community.

It has been matter of complaint that our common schools were not receiving that encouragement from the hands of the Legislature, which they ought to receive. Academies and high schools, it is said, have been multiplied in our land to the neglect of those primary institutions which should be our pride and boast, and which should receive, as they merit, our constant care and support. Far be it from me to say any thing which might tend to discourage that public and benevolent spirit, manifested in providing for the thorough education of any portion of our community. If the effect of multiplying other literary and scientific institutions be to break down our common schools, to change their character and impair their usefulness, the friends of a general diffusion of knowledge and learning would regret the tendency of any course to produce any such effect.—There is, however, within the power of the Legislature at all times a perfect remedy for any such evil. Elevate the character of our primary schools. Place within the reach of the most depressed son of poverty within our State, the means of obtaining a thorough English education, through the influence of these free seminaries of learning. Let there be such a division, (whenever practicable,) of the youth, that the younger scholars may constitute an exclusive class to receive such instruction as they would require: and let the scholars more advanced in attainments, be placed under the exclusive guidance and instruction of those well qualified to teach the higher branches of an English education.

It is a reproach to our free school system that the higher branches of mathematics, philosophy and political economy can only be acquired at our academies and high schools. This should not so be. An invidious feeling is thereby engendered among the youth of our State, and one of the great objects of our free primary schools is defeated, and that is the opportunity of giving to the poorer classes of our community as thorough an English education, as can be attained elsewhere; and thus fitting them to perform the duties which may devolve upon them as citizens of this republic.

I do not design to recommend any alterations in our present militia system. It has received its present modification after having been carefully and recently revised by the immediate representatives of the people. I would therefore confidently trust that no amendments will be attempted in our militia laws, until experience shall suggest the necessity of further change. Far better is it to bear some practical inconveniences than to subject the system to frequent alterations. No man can entertain a more exalted opinion of the value of a well regulated militia for the preservation of our institutions and for the protection of the rights of the citizen, than myself. No man, looking to the honor of this free country, the continuance of this free government, the happiness of this free people, could more deeply lament than myself the existence at any time of a sentiment or feeling opposed to the respectability and usefulness of our militia.

In connexion with our primary schools, the institution of our militia alike deserves the protecting care of the State government. The minds of men may be enlightened; the value of political and social virtue may be realized; the genius of our liberal institutions may be well understood; and laws may be passed with all the sanctions which the wisdom of man can devise; yet all these would avail but little, without the influence of a citizen soldiery; without that moral force, that physical "*corps de reserve*,"

designed for the ultimate security and defence of the just rights, the equal privileges, the constitutional liberty of the people. These opinions are given as the result of much reflection. They are presented to you as my sober convictions. And I cannot but hope that they will find a hearty and concurrent response from those to whom they are addressed, and that at no future period of our history will any representative body of the people be assembled without feeling the force of the sentiment, *that for the due preservation of the liberties and the rights of the people, and for the security of our free government, it becomes their bounden duty to do all that can be done, to maintain the character and to promote the usefulness and efficiency of our free school and of our free militia systems.*

From communications which have been made to me, I learn that the Asylum for the Insane has been in readiness for the reception of patients for the last seven months ; that about seventy within that period have been received at the institution, twenty of whom have been returned to their friends, having been partially or perfectly restored to the exercise of their right reason ; and that nearly fifty are, at this time, under the charge of the superintendent. It is worthy of remark that the Asylum for the Insane in its erection and in its subsequent management has been conducted with great judgment and economy, and although such institutions are inavoidably subject, at the commencement of their operations, to severer charges than are ordinarily incurred afterwards within the same period of time ; yet it is believed that the means within the control of the Asylum will enable it to meet its ordinary expenditures for the coming year. The buildings and the grounds belonging to this institution, its location and superintendency, cannot fail to recommend it to the public as a most desirable retreat and residence for those unhappy fellow beings who, for a time, may have been deprived of that unerring light given us by

the God of nature for our guide and direction. The Asylum will, I trust, continue to command and receive in its behalf the sympathies and efforts of the friends of humanity here and elsewhere.

Since the adjournment of the last Legislature, I have received a communication upon the subject of the geological survey of this State. No doubt a further report of much interest will be submitted by the State Geologist before the close of this session, and as soon as received, it shall be transmitted for your information.

Under the authority given to the State Treasurer by the resolution of the last legislature to borrow thirty-five thousand dollars for the use and upon the credit of the State, he has been enabled to supply the treasury with means, (derived from our own citizens and institutions,) sufficient to meet all demands which have hitherto been made upon him. And I feel warranted in stating that he will be able to command, under the same resolution, funds sufficient to meet the expenditures of the State for the ensuing half year, and that from the tax payable into the treasury in December next, he will be supplied with the means of extinguishing the entire debt of the State for money borrowed, and have a balance in the Treasury, applicable to the wants of the government at the commencement of the next political year. The State of New Hampshire has much cause for congratulation for her resources, her credit and for her freedom from pecuniary embarrassment.

Within a short time past the Executive Branch of the government has made a full and careful examination into the receipts and expenditures for the past year, and into the present condition, of our State Prison, and also into the health, habits and conduct of the prisoners.

The income of the Prison, according to the statement of the Warden, during the year ending the 30th of April, 1843, has been as follows :

|                                 |   |   |           |
|---------------------------------|---|---|-----------|
| Net receipts from Cabinet shop, | - | - | \$2564.33 |
| " " Shoe shop,                  | - | - | 1653.33   |
| " " Smith shop,                 | - | - | 2805.35   |
| " " Profit and Loss,            | - | - | 142.98    |

|         |   |   |   |   |   |           |
|---------|---|---|---|---|---|-----------|
| Making, | - | - | - | - | - | \$7165.99 |
|---------|---|---|---|---|---|-----------|

Within the same period there has been disbursed :

|                           |   |   |   |   |   |           |
|---------------------------|---|---|---|---|---|-----------|
| Expenses, &c.,            | - | - | - | - | - | \$3392.68 |
| Provisions, &c.,          | - | - | - | - | - | 2231.75   |
| Clothing, bedding, &c.,   | - | - | - | - | - | 435.98    |
| Repairs and improvements, | - | - | - | - | - | 70.03     |
| Steam Engine,             | - | - | - | - | - | 228.64    |
| Interest acc't,           | - | - | - | - | - | 68.55     |

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\$6427.63

|                               |   |   |          |
|-------------------------------|---|---|----------|
| Giving a balance of profit of | - | - | \$738.36 |
|-------------------------------|---|---|----------|

|   |           |
|---|-----------|
| Cash receipts within the year have been | \$8848.00 |
|---|-----------|

|                 |   |   |   |   |           |
|-----------------|---|---|---|---|-----------|
| " expenditures, | - | - | - | - | \$8389.45 |
|-----------------|---|---|---|---|-----------|

|  |          |
|--|----------|
| Leaving on hand in cash, April 30th, 1843, | \$458.55 |
|--|----------|

It is, however, a duty devolving upon you as the immediate representatives of the people, to institute a thorough and rigid investigation into all the means and liabilities of the institution, and to ascertain by a minute examination whether in the report of the warden any means are estimated which may not be available, and whether a full exhibit is given of all the liabilities of the Prison. Such a course of proceeding should not be dispensed with, and at the commencement of every year the true and actual state and condition of the prison should be ascertained and laid before the people.

The number of convicts in confinement at the time of the examination was ninety nine. The health of the prisoners has been generally good. There has not been a death among the inmates at this institution for nearly two and a half years, a circumstance, taking into consideration the number, unparalleled in the history of state prisons, and

clearly proving the beneficial effects of regular exercise, rest and diet. The New Hampshire State Prison is at this time, in our opinion, in a better condition than it has been for many years past, and in point of discipline second to none in this country. The resources of the prison are amply sufficient for its support, and no aid from the treasury will be necessary for the coming year. It occurred to the Executive that no alteration in the employment of the prisoners could be advantageously made. The convicts are mostly employed either in the smith, shoe or cabinet shops. The contract for the service of the prisoners in the smith shop secures to the State for each one forty cents per day : in the other shops a little less is realized; and it is supposed that a less favorable contract will have to be made for the future employment of those who may labor in the smith shop. It is, however, a matter of fact that the prisoners are and may continue to be supported, with good and wholesome food, at the rate of seven cents per day for each; and unless there should be a material falling off in the subsequent receipts at the penitentiary, a sufficient sum will be realized to meet the annual expenditures of the institution, including the salary of the Warden; and the accounts hereafter to be submitted by that officer will, by direction, contain a charge for the payment of his own salary, instead of receiving it direct from the treasury as has been heretofore practised.— The Executive could not fail to admire the good order, the neat and cleanly appearance of the several apartments of the prison. All seemed to have been done by the Warden and those under him, which could have been done for the health and comfort of those under their charge. And they learned with equal satisfaction that the convicts were constant in their attendance upon the religious services of the Sabbath, and conducted and demeaned themselves with propriety on all such occasions.

In pursuance of the statute of the last session, two Justices of the Circuit Court of Common Pleas were appointed

and commissioned ; and from the experience which has already been enjoyed, there can be no doubt that this alteration in our judicial system will prove most salutary, enabling the respective courts of common pleas to transact the business falling within their jurisdiction without unreasonable delay, and of consequence, with economy to the public as well as to the parties litigant, and affording also to the Judges of our Superior Court all the time and opportunity necessary for that prompt performance of their appropriate duties guarantied by our constitution.

In accordance with the request of the last Legislature, I transmitted to the governors of the several States copies of the resolutions upon the subject of postage and the franking privilege, and to the governors of the New England States copies of the resolutions upon the subject of banking and the circulation as money of small bills of a less denomination than five dollars. Whatever communications shall be received in reply, shall be immediately transmitted for your information.

I also sent to each of our representatives and senators in Congress copies of the resolutions of our last legislature, upon the important subjects of the tariff, the bankrupt and distribution acts of the last Congress.

I cannot permit this opportunity to pass without an expression of my full and perfect concurrence in opinion with those expressed by the last Legislature in the resolutions to which I have referred. Nor can I permit the occasion to pass without bearing testimony to the propriety and fitness of such legislative proceedings.

New Hampshire is a member of this great confederacy of states. And the patriotism, the intelligence, the self respect, the stern and inflexible principles of her people would never tolerate any disinclination in their representatives to speak forth, on all proper occasions, their views on all matters of public policy. Integrity, vigilance, fearlessness belong to the patriot, and that man can be but little acquainted with

the character of our citizens, who would deny to them the possession of those qualities in a most pre-eminent degree.

It is your high privilege to declare your opinions of the measures of those charged with the administration of our national affairs. A declaration of your views, as the representatives of an independent member of this union, is not only a matter of right, but may be a matter of duty. As an integral part of the republic, New Hampshire cannot be indifferent to the acts of Congress. Their operation is either for good or for evil upon her citizens. And the character of all national measures should be well examined, and either approved or condemned by the intelligence and patriotism of the country. If any infraction has been committed by our public servants upon the constitution of this republic, we should not be silent. A frank avowal of the opinions of the constituted authorities of any one member of the confederacy, in relation to any national measure, may induce an entire change or such a modification as would render the measure acceptable to the people. This is the way open at all times to reach the ear of Congress and thus prevent the long continuance of unconstitutional and oppressive acts of national legislation. Any administration of our public affairs, which shall by its measures act in disregard of the best interest of the country, forfeits all claim to public respect, and cannot and should not command public confidence. Our motto should be, "everything for principle, nothing for men." "It would be a dangerous delusion, were a *confidence* in the men of our choice to silence our fears for the safety of our rights. That *confidence* is every where the parent of despotism. True government is founded in jealousy, not in confidence. It is jealousy, not confidence, which prescribes printed constitutions, to bind down those whom we are obliged to trust with power."

It may not be unprofitable or considered out of place for me in this public address, to portray some of the effects of the existing restrictive tariff upon the great body of the consumers of the importations of the country. "For it is believed that the system

would not last beyond a single Congress, if the people understood precisely how it operates upon them." And yet, within the limits of this address, I can only in very general terms refer to the measure in its consequences: even this may be sufficient to awaken such a spirit of inquiry as will lead the people to rid the country of a measure so oppressive to their prosperity and so prejudicial to their happiness. There is no subject exclusively within the jurisdiction of Congress of more interest to us, than that of raising a revenue. As the expenses of the national government must be defrayed by the people of the union, it is important to each one of us, that Congress should adopt the best mode of attaining this object. But names have still so much more influence over us than things, that the system of direct taxation necessarily adopted in the different States to defray State expenses, has never found favor when it has been proposed to apply it to raise the national revenue. And abundant as have been the errors to be found in the history of human legislation, they have probably been more numerous on this subject than on any other. Taking it for granted, for the present at least, that it is more acceptable to the people, that a revenue should be raised by a system of duties than by direct taxation, the principle to be applied seems to be an intelligible one. It is that the duty should be imposed upon such articles and in such a way, as will cause the least expense to the consumers. It is necessary, of course, that duties should be imposed on articles, the consumption of which would be sufficient to enable a revenue to be raised from them. And when the duty is imposed on such articles and such alone, as will yield a sufficient revenue with the least injury to the people, and with the honest intention alone of raising a revenue, the fact that certain articles of home manufacture increase in price to the benefit of those citizens who are employed in producing them, as it would be a necessary consequence of the duties, so it would not be a cause of complaint. But when the legitimate purpose of a tariff is lost sight of in the eagerness to raise the profits of home manufactures to the owners of them, and when, by the imposition of unnecessary or injudicious duties upon foreign articles, not only their price is raised, but the home manufactures are made equally expensive to the consumer, the common

sense of the people revolts; and they begin to murmur that the actual receipts into the treasury should bear so small a proportion to the burdens which they are made to sustain, in consequence of a complicated and unwieldy system of duties.

It appears from a statement furnished by the Treasury department, that the average amount of duties on dutiable articles imported during the last quarter of 1842, is a little more than 35 per cent. on their *ad valorem value*, and at that rate an importation of forty millions of dollars of dutiable articles, during the year 1843, must produce a gross revenue of fourteen millions of dollars, which will yield a net revenue of nearly thirteen millions of dollars; one million out of fourteen being the custom house expenses of collection. It has been demonstrated by one of the best thinkers and writers of the country that, including the custom house expenses, the cost to the people of collecting a tariff tax is not far from 45 per cent. upon the amount which actually goes into the treasury. This burden is inevitably thrown upon the consumers of dutiable articles, and this, where the tariff is purely for revenue. It matters not to what class of the community the consumer belongs. He who consumes a single article embraced in the tariff, pays a portion of the tax and of the cost of collection. If the fourteen millions of dollars of revenue was derived exclusively from duties imposed upon articles, similar in kind to those which are manufactured in our own country, the products of our own labor, the unavoidable tax to the consumer would be nearly doubled. There is in fact no mystery in the operation of a tariff upon home manufactures, although the enormous burdens with which the people are laden in consequence of a tariff for protection, have either been kept out of sight or overlooked. The actual cost to the people of a tariff for protection may be shown in a very few words. And I will endeavor to illustrate it by some brief but familiar references and statements. If we take the importation of salt for the year 1840, the oppressive effect of this protective policy will be seen. In that year we imported into this country over eight millions of bushels and manufactured over six millions. The duty was eight cents on a bushel of 56 pounds, when it is known that the average cost abroad does not exceed eight cents per bushel. The gross reve-

nue accruing from the amount of the importation of salt for the year 1840, a little exceeded six hundred and fifty thousand dollars. The price of the six millions of bushels manufactured in this country, would be increased to the amount of the duty imposed upon the foreign article, together with all the costs and charges of collection. The inevitable effect must have been to have subjected the consumer of this article, so valuable and of such general and indispensable use, to more than one hundred and thirty-three per cent. on the salt consumed, in order to afford protection to a few hundred salt manufacturers. The same principle applies to every article which is made subject to duty, and where a like article is the product of our own manufactures. The operation of the tariff upon all such classes of articles must be to raise the price of the domestic, so as to correspond with the price of the foreign article, and in this way to give protection to the sugar planter, the salt maker, the iron master, and the cloth manufacturer, at the cost and charge of the farmers, mechanics and all the other consumers of the country.

“The precise amount of home manufactures purchased by our people, corresponding in character with those subject to duty imported from other countries, may be estimated at least equal to the imports, or at their natural price, worth per annum \$40,000,000. As the price of the imports is increased 35 per cent. by the tariff, so the price of similar articles manufactured at home will be increased 35 per cent., which upon \$40,000,000 gives \$14,000,000, equal to the entire gross revenue.” We can, from these facts, form a fair estimate how much the American people pay to get \$13,000,000 of net revenue into the treasury. This will appear from the following exhibit :

|  |             |
|--|-------------|
| Custom house expenses,   | \$1,000,000 |
| Cost of collecting the revenue tariff tax, independent of the custom house charges, comprising importers, merchants and dealers' profits, &c., estimated at 33 1-3 per cent. | 4,666,666   |
| The protective tariff tax, if the revenue is derived from duties on articles, when like articles are manufactured in our own country,  | 14,000,000  |

|   |            |
|---|------------|
| The cost, &c. of collecting the protective<br>tariff tax would be | 4,666,666  |
| Add the net revenue,  | 13,000,000 |

|        |                     |
|--------|---------------------|
| Making | <u>\$37,333,332</u> |
|--------|---------------------|

“Thus it appears that out of \$37,333,332, paid by the people under the existing system, only \$13,000,000 gets into the treasury. Of the balance over \$14,000,000 is money transferred by legislative legerdemain from the pockets of the consumers to the pockets of the manufacturers. Four millions and two thirds is the cost of this operation, while four millions and two thirds is the cost of collecting the revenue tariff tax, and one million the custom house expenses.” Could any system of revenue be more unjust, more expensive, more iniquitous ?

“Agrarianism takes the property of the rich and divides it among the poor. This system is worse. This takes the property of the poor and gives it to the rich.”

Now it would be unreasonable to complain of this sum, enormous as it is, provided the duties were judiciously imposed, if a system of indirect taxation is adhered to. But when we consider the indirect cost to the consumers consequent upon a tariff for protection, it may well be a matter of wonder and grief that we have profited so little by half a century of self government. It is evident that a system leading to such results, is radically wrong. It is our duty, as liberal and enlightened men, to pay whatever is necessary for the national defence, for the expenses of government and for the support of justice and the laws, without requiring any other return than the blessings of civilized society. But all expenses unnecessary for these great objects, are unauthorized by the theory of our constitution and at variance with the simplicity of a republic. I can add no more on this subject : the remedy is with the people. Sure I am that a government emanating from and sustained by them, and yielding in theory a greater security to human rights, will not in practice be found to impose a greater burden for its pretended support, than any other which has ever yet been devised by the wit of man.

If corruption is abroad in the land ; if it has found its way into our national councils ; if our public servants are faithless to the

constitution and to the cause of equal justice ; you are bound to do what you can to ferret out the wrong. Even a voice from this Legislature may stay the progress of a measure charged with all manner of evil. We have heretofore felt ourselves called upon while in the way of our duty, to denounce the act of Congress providing for the distribution of the avails of the public lands, not only as an open and flagrant violation of the constitution, but also as a measure fraught with most mischievous effects, subversive of the independence of the states and debasing to the patriotism of the people: and much to the honor of the country, the evil of that demoralizing act of Congress has been checked by the force of public sentiment. Our efforts may have contributed in producing so glorious a result. We felt it to be no less our duty to assail another act of the same Congress, as degrading to the moral sense of the whole country and destructive to the interests of the American people: and I am happy to say that this measure is no longer suffered to debase our character by occupying a place among our public statutes. I was opposed to districting our territory for the election of our representatives, and I could not permit an act of the same Congress to go into effect, giving to the states their mandate for the accomplishment of such a purpose, without protesting against the constitutional power of Congress to exercise any such authority, and without urging upon the Legislature to resist every such encroachment upon their rights. We have reason to believe that this act also will in practice be wholly inoperative. Vigilance, fidelity and perseverance will alone secure to the natural man the protection of his personal and political liberty.

The events of the last year have forcibly impressed the public mind that the sovereign power of this free country will control her destiny—that no administration of our general government, possessing all the adventitious advantages of powerful majorities in every branch, can conduct the public affairs for any length of time in disregard to the interests of the people. They will speak forth in such authoritative tones that the weakness or the wickedness of any man or any set of men, will quail under the influence of such a power. A recurrence to the past history of the present administration of our national government, furnishes

confirmation of the direct influence of popular opinion. In the plenitude of their power, they passed the mad scheme of abstracting from the national treasury a portion of the national revenue and giving it to the states. The controlling influence of public sentiment has compelled these same servants to count this measure as among the things that are not. They passed also a bankrupt law, and the voice of the people has repealed it. The legislative branches in like manner passed the most odious of all odious projects, the establishment of another national bank, and the strong force of popular feeling vetoed this measure. I have adverted to these events to remind you that, as vigilant watchmen, you have something more to do than to provide for the wants of your immediate constituents—that it is the bounden duty of all of us composing the representative body of the people, to watch with constant vigilance and solicitude those connected with the administration of our public affairs—to expose to the intelligence of the American people, every act impairing the force of our political compact or infringing the great principle of exact justice and equal protection.

No state in this Union contributed more, in proportion to her numbers and to her means, in aid of the establishment of the independence and government of the country, than the State we have the satisfaction of inhabiting. And no state will bear more and struggle longer to preserve that independence unabated and that government unimpaired, than New Hampshire. I would here reiterate a sentiment formerly expressed by me, that if the liberties of this country shall at any future period of her history be lost, that loss will be traced to the unwarrantable legislation of Congress; to the exercise of powers on their part not delegated by the constitution.

It is deeply to be regretted that “the mania for state banking and the mad career of internal improvements,” have involved any of the states of this great confederacy in an indebtedness so embarrassing, if not so oppressive, as to render them unable to meet their engagements with promptness and punctuality. I cannot concur in the sentiment which has been expressed by some in authority, that a failure of one state to redeem its own liabilities, impugns the character and credit of the other states of this

union. I cannot recommend, as has been done by others, the passage of resolutions expressive of the strong interest which this State feels in the full redemption of every pledge given by other states, of its public faith and of our utter detestation of the "abominable doctrine of repudiation" as applicable to independent and sovereign states. I merely wish to be understood as saying that in my opinion the State of New Hampshire, in her political capacity, is not called upon to condemn or to approve the course which any of the states of the union has taken in relation to her own liabilities. In my judgment this State has no concern with the affairs of those states which may be involved in debt. With just as much propriety and fitness can this Legislature cast censure upon individuals for their failure to perform their contracts, as to adopt a resolution condemnatory of the conduct of those states which have for any cause neglected to redeem their plighted faith. That is a matter which can in the one case only affect the individual, and in the other, the state. It would seem to me to be equally as appropriate and as justifiable for this State to inquire into any other matter, connected with the internal policy of any member of the union, as to investigate the causes of her indebtedness or the still more odious office, the causes of her delinquency.

New Hampshire, with but few other states, remains unembarrassed with debt, and can it become us to prescribe any lessons in morals to those who may be differently situated? Does it become us to hold forth to them the danger of repudiation, and the all importance of a prompt redemption of every pledge of public faith? Does it become us to declare that the practice of the one is an outrage on "public honor," and a failure to observe the other is dangerous to "public liberty?" Does it become us to say what these indebted states *must do*? I think not. It is a matter which exclusively concerns themselves. The states unembarrassed with debt, should be cautious how they interfere with the affairs of those oppressed by outstanding liabilities.

No attentive looker-on who has watched the course of events for the last twelve months in and out of Congress, can have failed to have come to the conclusion that there is a mighty effort abroad in the land to induce the Congress of the United States, at no distant

day, to provide for the assumption by the general government of the entire indebtedness of the states. Such a measure has been openly avowed and advocated on the floor of the House of Representatives in Congress, and such a project, if any reliance can be placed upon the signs of the times, has found favor within the Senate of the United States; and such a movement finds encouragement in the action of legislative assemblies, holding out the idea that American credit is unfavorably affected by the conduct of a single individual state in neglecting to meet its liabilities; holding out farther the all importance of preserving that American credit from being tarnished by such acts, and thus encouraging those who are presumed to represent in Congress the virtue as well as the intelligence of the country, no longer to suffer this stain to rest upon our national escutcheon, but to go forth to the work at once and to take upon ourselves these state liabilities.

Fellow citizens—This is no picture of the imagination. The exhibit is drawn from clear, direct and undeniable facts. When the much lamented senator from Tennessee, who is now no more, presented the report of the committee upon this same subject to the United States Senate, his doctrines founded, as they were, in the deepest wisdom and in the purest patriotism, were condemned by the friends of the present administration, then members of that body, as wholly uncalled for; as strange; as tending to impair state credit: and it was said over and over again by grave senators, that the idea of an assumption of the state debts by the general government, if not ridiculous, could not have been seriously entertained by any American statesman. Was this the fact? The occurrences of the few past months cannot fail to have satisfied every man that the avoidance of all action of those friends of this administration, upon the resolutions of that distinguished senator, must have been induced by a deep and controlling conviction that such a measure *might become expedient*, and that the safer way would be not to declare openly against its unconstitutionality or its impolicy, but to leave the whole matter to be regulated as time and circumstances should seem to require. Is there a friend of his country within the reach of my voice, who can doubt that this scheme fraught as it is with the most dreadful and dangerous evils to the harmony and union of the republic—

to the peace and prosperity of the people—is seriously contemplated by some of the public men of our country? Certain the fact is so; and it becomes us, the representatives of freemen jealous of power and tenacious of their rights, to meet this project at the threshold—fearlessly and frankly to declare the honest convictions of our minds touching this subject—to induce, if possible, by our bold and energetic action, the representatives in Congress to prevent the adoption of a measure, more calculated than any other to rend asunder the ties which bind together this great confederacy. In behalf of the independent and patriotic state you represent, you are called upon to put forth your sentiments upon this subject, and to stay, if practicable, the onward progress of this plan matured and well considered as it has been; and thus preserve the justice and honor of this nation—the peace, the confidence, the hopes of the American people.

At the commencement of each political year, it has been a custom coeval with the existence of our government, for the Executive to make a communication to the legislative branches, in relation to matters of general and local policy. And on such occasions it becomes his duty to re-examine the positions which he may have previously assumed; to take a retrospect of the ground which he may have occupied, and with honesty and fearlessness to point out all errors, if any, either in principle or in practice, which may have occurred to his mind. All such communications would lose their value and would become little entitled to the confidence of the people, should they be found pertinaciously to reiterate sentiments which reflection and experience have condemned. If mere pride of opinion could induce a public servant holding the honorable and responsible office which I now fill, to compromise his own integrity, so far as to make a public and official declaration of views repugnant to the deliberate convictions of his own mind, he would deserve and assuredly receive the contempt of his masters. The people are not slow to discover whatever tends to endanger their peace, to embarrass their rights, or to prejudice their interests; and if these tendencies have proceeded from the adoption of measures recommended by their Executive, they will not fail to apply the remedy always within their control.

In presenting this address, I have been induced to examine the opinions promulgated in my former communications to the Legislature. I have been induced to do this for the reason that those opinions have been assailed, and the principles advanced have been directly condemned by men who once occupied responsible stations in this government, and long enjoyed the respect and confidence of their fellow citizens. And I cannot consistently with that uprightness and integrity which I hope ever to maintain, say to you that on either of the occasions when I have found it to be my official duty to address the Legislature, have I given utterance to sentiments which are not now approved by my best judgment. Under the high responsibilities of my official station, I have not hesitated to present to the people of this State my views touching a species of legislation, which had so extended itself as to have involved rights and interests, sacredly protected by the supreme law of the land. The too frequent granting of acts of incorporation to individuals for private purposes, and the consequent invasion of private property for the accomplishment of those purposes, had produced no ordinary excitement. The relative and absolute rights, duties and powers of private corporations and of individuals were subjects of engrossing thought. My own sentiments had been freely expressed upon these matters long before I was elevated to this office. This subject has lost none of its importance and none of its interest with the people. And I propose to submit at this time some additional reflections. I have no other object to attain but to carry out the great design in the constitution of free political communities—to *protect the weak from the encroachments of the strong ; to defend the impotent from the influence of power, and to sustain the whole people in the enjoyment of their liberty and equality.*

Titles to property are acquired in this State either by purchase or by descent. The mode of transferring estates is prescribed by legal enactments, passed in conformity to the provisions of our constitution. To the owner is given, under our laws, the rightful control of all property to which he may be entitled. In no possible way can he be divested of that control without his consent, except when public necessity shall interpose. When-

ever a case shall occur, that for the public use the private property of individuals must be surrendered, then such a surrender will be sustained, not only by the language of the constitution itself, but by the nature and fitness of things. The very existence of political communities renders indispensable the exercise of such a power, and such a power being vested in the Legislature, may by them be delegated by law, and in this way only can private property be taken and appropriated, without the owner's consent. We hold our estates subject to the demands of the public for their exclusive use. We hold them above and beyond the control of others. The property of an individual, in pursuance of the provisions of law, may be taken and appropriated for the debts of that individual. It is merely applying personal means to meet personal liabilities.

But it would be regarded as abhorrent to every principle of common justice and opposed to every principle of constitutional law, to contend that the property of one individual could be seized and applied for the satisfaction of the debts of another; and yet there is not the slightest difference, in principle, in giving authority to take the property of an individual, without his consent, to pay the debts of his neighbor, or to take that property and give to that same neighbor to promote his convenience or to increase his substance. It is nothing more and nothing less than taking individual property, against the will of its owner, for private use. I cannot fail, without a violation of the oath, I have just taken to support the constitution, to carry out in practice what I have not hesitated to advance in theory—that the surrender of private property, without consent, except for public use, cannot be required. This great principle is coexistent with our government. The sober sense of our community can never be confounded with the unmeaning jargon that public use is attained by private accommodation and the protection of private interests. The true difference between public and private use could not be more perfectly illustrated, than by contrasting our highways constructed by public means, sustained at public charge and exclusively dedicated to public benefit, with those constructed by private appropriations, preserved by private expenditures and dedi-

cated to private interest. The one class is exclusively within the control of the public ; the other is as exclusively within the control of individuals. The one is a public, the other a private concern.

The acquisition, possession and protection of property is one of the essential and inherent rights of man, and on entering into a state of society he must surrender, to some extent, this natural right to that society, in order to insure the protection of others. For the construction of our public highways, private property of necessity must be taken and thus appropriated, even without the consent of the owner, if a just compensation shall be made. Legislatures can provide for the construction of all such ways. The power is expressly conferred by our own constitution, and confirmed by that of the United States. But no such principle can be made applicable to private ways, constructed by individuals or by artificial persons for private purposes. Estates are not held here by so uncertain a tenure. Property cannot be put away from the control of its owner, against his will, when required for purposes of individual speculation, when wanted to accomplish private ends, or when necessary to advance private interests.—Such objects can only be attained by negotiation and contract. Mind must meet mind, when the possessions of one may be needed to carry out the operations of another. A contrary doctrine would place the estates of men beyond the control of their owners—give to wealth the power of applying the means of others to the accomplishment of its own ends ; of converting the soil of the husbandmen, without his consent, into canals and railroads, and of thus subjecting the homes of the poor to the claims of the rich. The exercise of any such power would be wholly unwarranted by and opposed to the very first principles of our government. There is no compromising, no giving up of this principle. If the views expressed are right and constitutional, then the principle will be maintained unimpaired, so long as our institutions shall continue. The Legislature can in no instance delegate a power which they do not enjoy. It cannot rightfully presume to exercise an authority over the private property of the citizen, which is not warranted by the terms of the constitution.

It would be most dangerous and alarming to enlarge the express grants of power by construction, or control them by considerations of expediency. I have before said, if such a power exists in the representative body of the people to give authority to appropriate the property of individuals, without their consent, to the use of private corporations, equally constitutional would it be to confer the same power for the use of the corporators. There is not a shadow of difference in principle. Nor does the constitutional exercise of such a power, for private purposes, depend on the degree of public use. The abstract power, if possessed, might with as much propriety be conferred upon the owner of a waterfall, to construct a dam and flow the lands above, in order to erect a mill demanded by the convenience of a neighborhood, as to construct a railroad for the accommodation of other portions of the community. There is no half-way house, no middle ground. The first section of the act contained in chapter 142 of the Revised Statutes, passed before I came into office and approved by my immediate predecessor, contains a provision worthy of the head and heart of the representative body of the people, which gave it a place among our statutory enactments. It contains, in my judgment, the true constitutional doctrine upon the rights and powers of private corporations over the property of individuals. This valuable reform in our legislation, gives the desired protection to the property of individuals against all encroachments of irresponsible corporate power.

In the course of this session applications may be made to you for the renewal of existing bank charters and for the incorporation of other private companies. It is not within my province to prescribe the details to be embraced in the charters for any such incorporations. If the general acts are not as they should be, it is for you to make the alterations required, and it would illy accord with the Executive to differ with the Legislative branches of the government in the details of a measure which do not in effect violate our constitution. The principle of individual liability for the debts of private corporations will not, I trust, be yielded ; and while it should be faithfully preserved by the future legislation of the State, we should be careful in our engagedness

for the maintenance of this principle, that we do no wrong to these private corporations, by restricting too much the powers of the corporators. Equal and exact justice should be the end and aim of public legislation.

From the last annual report made by the Bank Commissioners of Ohio, I subjoin the following extract as containing sound and correct doctrine upon the subject of banking :—

“In the organization and management of banks, the control over their discounts and the decision as to what persons or classes of persons shall be accommodated, the people have no more direction, than in the affairs of private individuals. The accruing profits, instead of being kept as a fund to discharge the debts of the corporation or to meet its losses, are semi-annually divided among the stockholders, and thereafter become private property, beyond the reach of an execution against the bank. And here is the distinction between a natural person and a corporation. The natural person retains his accumulated profits and they become a part of his property, and are liable at all times for the payment of his debts; but the corporate body, instead of retaining its profits to pay its debts or to meet any losses that may occur, divides them among the stockholders. Individual liability, instead of dividing the profits among the stockholders and the losses among the people, proposes to divide the losses as well as the profits among the persons composing the body corporate. The history of the past has proved that frequent and heavy losses have occurred from bank failures. This loss must fall upon one of two classes of men, the bankers or the bill holders. If the management devolves exclusively on one party and the profits also enure to the same, it is clearly right to fix the responsibility on that party having both the control and the profit.”

The Legislature will constantly bear in mind that their first and last object, should be to provide for the perfect security of the public against every possible loss by reason of the conduct of private corporations. It is immaterial in what way this object shall be accomplished, if it be but attained. The maximum of the capitals to be held by banking companies, the provisions and the details for their government and for the security of the pub-

lic, are properly and exclusively within your province. With those matters I do not propose to interfere.

If it be policy to increase banking or any other private corporations, it would be but an act of justice that the security to the public should be made with as much convenience to the corporations as practicable. Various modes have occurred to me, each looking to the same object, and I dare presume that your own reflections will finally lead to the adoption of some general plan which will give entire protection to the public, without imposing such unnecessary restraints as will lead private corporations to surrender their charters. The incorporation of a bank is a power which should be exercised with great caution. To all such artificial persons, you give the right to create for the public a paper circulating medium, which ever has been and ever will be taken as money by the people. It is not to be denied that to banking companies, uncontrolled and irresponsible, and conducted as they have been, is committed the power of fixing the value of the entire property of the country. When they expand their circulation, property rises. When they contract, it sinks. "If a great expansion of the currency of the country creates high prices, high wages and over-trading, it is self evident that a great contraction of the currency will produce exactly the opposite effects—low prices, low wages and little trading." The abundance of paper money gives an inflated value to products, which is taken away when new discounts are refused and payments required.

"The constant tendency of banks has been to lend too much, and to put too many notes in circulation." It was once well said by a distinguished peer of England, that "if the Americans went into the funding system of England, and adopted their projects of unsubstantial paper money, their boasted independence would prove to be the merest phantom." How literally has this prediction been verified by the history of past events!

Much has already been accomplished by the stern and inflexible democracy of New Hampshire, in promoting the cause of equal rights and in sustaining the demands of just and constitutional privileges. Let us steadfastly maintain the positions we have assumed. True it is, that the history of our own State, for

the last half century, has not seemed to require a full and explicit exposition of those great principles which are now deemed as essentially connected with human rights. Such has been the even tenor of our way, such has been the course of past events, that there has not occurred any such conflict in the application of those constitutional provisions, as necessarily to call forth, until recently, any general discussion of the subject. But the diversified concerns of man have in more modern time raised the direct questions: What are the rights and privileges of the citizen, as guarantied by the constitution?—and what powers have public and private corporations over those individual rights? These momentous considerations have been within the few last years addressed to the intelligence and patriotism of our State. The sovereign power has responded, and our course should be onward. We cannot recede. *The people's will should be the agent's guide.*

We cannot fail to love our own country, “its soil, its equality, liberty, laws, and manners.” It was once said by Mr. Jefferson, —“How little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy.” They should realize “how much it is their interest to preserve uninfected by contagion, those peculiarities in their government and manners to which they are indebted for those blessings.” Political liberty and equality are the boasted boons of our people. They belong to us, and these pure principles will continue to warm the current of our feelings and rivet the affections of our hearts to our State and government.

At the close of the present political year, I shall have filled the office of Chief Executive Magistrate for that period of time, which cannot fail to admonish me of the propriety of *then* yielding my place to another, and of returning to my constituents with an account of my public stewardship. Entertaining these sentiments, and aware that the time is at hand, when according to long usage, a candidate for this office, for the year next succeeding the present, will be put in nomination; and while I shall ever hold in grateful remembrance the distinguished honors which have been conferred upon me; I desire distinctly to announce to my

fellow citizens, that I must decline being considered among the number of those from whom a selection will have to be made.

It will be perceived that in this, my last address to the legislature, I have not recommended any alteration in our present system laws. My suggestions have been of a very general character, but it is to be hoped that they will be found neither inappropriate nor unprofitable in their influence upon the future legislation of the State.

We owe it to ourselves, as well as to our constituents, to give evidence of our devotion to their interests by practising a judicious economy. We should pursue with diligence whatever shall be necessary to be done.

It becomes us who occupy for a time these responsible places, to exert for the people our best efforts and all our habits of industry, while employed in the public service. Time is money, and we should strive to continue this session no longer than shall be necessary for the transaction of the public business. Let us exhibit an example worthy of imitation ; give precepts worthy of ourselves ; show forth our steadfast zeal in the cause of human rights and our untiring devotion to the cause of human liberty. And be assured that I shall be ready, at all times and on all occasions while in office, to co-operate with you in the adoption of any constitutional measure promotive of the interests and happiness of the people.

**HENRY HUBBARD.**

**Executive Chamber, June 8th, 1843.**







# **JOURNAL**

**OF THE**

## **HONORABLE SENATE**

**OF THE**

**STATE OF NEW-HAMPSHIRE,**

**AT THEIR SESSION**

**HOLDEN AT THE CAPITOL IN CONCORD,**

**COMMENCING WEDNESDAY JUNE 7, 1843.**

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**PUBLISHED BY AUTHORITY.**

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**CONCORD:**

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**1843.**

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Gifted H. George G. Logg of Ipswich  
Secretary of the Board of  
Education.

**JOURNAL**  
**OF THE**  
**HONORABLE SENATE,**  
**JUNE SESSION, 1843.**

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**WEDNESDAY JUNE 7, 1843.**

This being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble, the following persons elected Senators, appearing, took and subscribed the oaths of office agreeably to the provisions of the Constitution, viz :

From District No. 1—Hon. John K. Hatch,  
No. 2—Hon. Jonathan Morrill,  
No. 3—Hon. Simon P. Colby,  
No. 4—  
No. 5—  
No. 6—Hon. Zebulon Pease,  
No. 7—Hon. Titus Brown,  
No. 8—Hon. Timothy Hoskins,  
No. 9—  
No. 10—Hon. Daniel M. Smith,  
No. 11—Hon. Joseph Swett,  
No. 12—Hon. Simeon Warner,

The Senate was called to order by the clerk of last year.

On motion of Mr. Warner—

The Senate proceeded to the choice of a chairman, and Hon. Simon P. Colby was elected and took the Chair.

On motion of Mr. Hoskins—

The Senate proceeded by ballot to the choice of a President, and Hon. Titus Brown was elected.

Mr. Brown addressed the Senate, signifying his acceptance of the office, and took the Chair.

On motion of Mr. Smith—

The Senate proceeded by ballot to the choice of a Clerk, and Henry E. Baldwin was elected.

On motion of Mr. Colby—

The Senate proceeded by ballot to the choice of an Assistant Clerk, and Moody Currier was elected.

On motion of Mr. Colby—

*Ordered*, That Mr. Smith be a committee to notify the Clerk and Assistant Clerk of their election.

On motion of Mr. Hoskins—

*Ordered*, That Messrs. Hoskins, Warner and Swett be a committee to nominate a Doorkeeper, for the Senate.

Moody Currier, elected Assistant Clerk, appeared, was sworn to the faithful performance of his duties and entered upon the same.

On motion of Mr. Colby—

*Ordered*, That the Clerk inform the House of Representatives that the Senate have assembled, chosen their constitutional officers and are ready to proceed to business.

On motion of Mr. Hoskins—

*Resolved*, That the Secretary of State be requested to lay before the Senate the record of the returns of votes given for Senators in the several senatorial districts of this State at the election in March last.

*Ordered*, That the Clerk notify the Secretary of State accordingly.

On motion of Mr. Colby—

*Resolved*, That the rules and regulations of the Senate last year be adopted as the rules and regulations of the present year until otherwise ordered.

On motion of Mr. Colby—

*Resolved*, That the joint rules of the two branches of the Legislature for the year 1842 be adopted as the joint rules of the two branches of the Legislature until otherwise ordered.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Smith—

*Resolved*, That a committee of three be appointed to report rules and regulations for the government of the Senate the present year.

*Ordered*, That said committee consist of Messrs. Smith, Hatch and Pease.

A message from the House of Representatives by their Clerk:

"Mr. President—I am directed to inform the Honorable Senate that the House of Representatives have assembled, have elected Hon. Samuel Swasey, Speaker, Albert G. Allen, Clerk, and Lewis Smith, Assistant Clerk, and are now ready to proceed to the business of the session.

The House of Representatives concur with the Honorable Senate in adopting the joint rules of the two branches of the Legislature for the year 1842, for the present year, or until otherwise ordered."

Agreeably to a resolution to that effect, the Secretary of State laid before the Senate the returns of votes given for Senators in the several senatorial districts in this State in March last.

On motion of Mr. Hoskins—

*Resolved*, That the returns of votes for Senators in the several senatorial districts in this State be referred to a select committee of three, with instructions to examine and cast the same, and report to the Senate whether any vacancies exist, and if so, in what senatorial districts.

*Ordered*, That Messrs. Hoskins, Morrill and Swett constitute said committee.

On motion of Mr. Smith—

The Senate adjourned until 3 o'clock.

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#### AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Smith of Bradford, Burns and Clark of Manchester a committee with such as the Hon. Senate may join, to wait on His Excellency the Governor and inform him that quorums of both branches of the Legislature have assembled, are organized and ready to receive any communication he may be pleased to make, in which they ask the concurrence of the Hon. Senate.

On motion of Mr. Colby—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a joint select committee to wait on His Excellency the Governor and inform him of the organization of the Legislature.

*Ordered*, That Mr. Warner be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Hoskins, from the select committee to whom was referred the returns of votes for Senators in the several senatorial districts in this State, reported, that they have attended to that duty, and that from an examination of the returns made in the Secretary's office, in compliance with the regulations of the Constitution, it appears that there is no election of Senators in Districts No. 4, No. 5, and No. 9. In district No. 4, it appears that the whole number of votes cast, and duly and legally returned, is 3,683 ; necessary to a choice 1,842 ; and no person having that number, there is no choice : and Isaac Hale and James Cochran are the two highest candidates. In district No. 5, the whole number of votes cast, and duly and legally returned, is 3,343 : necessary to a choice 1,672 : no one having that number, there is no choice : and Andrew Peirce, Jr. and Jeremiah Kingman are the two highest candidates. In district No. 9, the whole number of votes cast, and duly and legally returned, is 3,420 : necessary to a choice 1,711 : no one having that number, there is no choice : and Elijah Carpenter and James Batcheller are the two highest candidates.

Which report, on motion of Mr. Hoskins, was accepted.

Henry E. Baldwin, elected Clerk, appeared, was sworn to a faithful performance of his duties and entered upon the same.

On motion of Mr. Hoskins—

*Resolved*, That the Clerk inform the House of Representatives that vacancies exist in senatorial districts No. 4, No. 5, and No. 9, and that Isaac Hale and James Cochran are the two highest candidates in district No. 4 ; and that Andrew Peirce, Jr. and Jeremiah Kingman are the two highest candidates in district No. 5 ; and that Elijah Carpenter and James Batcheller are the two highest candidates in district No. 9.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives are ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Colby—

*Resolved*, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

## IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall for the purpose of proceeding in the elections agreeably to the provisions of the Constitution, the Secretary of State came in and laid before the Convention the returns of votes for Governor from the several towns and places in the State.

On motion of Mr. Colby of the Senate—

The Convention proceeded to open, read and record the returns of votes for Governor from the several towns and places in this State, and completed the same.

On motion of Mr. Hoskins of the Senate—

*Resolved*, That the returns of votes for Governor be referred to a select committee, with instructions to compare and cast their numbers, and report to the Convention thereon.

*Ordered*, That Messrs. Hoskins of the Senate, Downing and Tudor of the House of Representatives constitute said committee.

On motion of Mr. Warner of the Senate—

The Convention rose and the Senate returned to their chamber.

## IN SENATE.

Mr. Hoskins, from the select committee to whom was referred the nomination of Doorkeeper for the Senate the present session, reported the following resolution :

*Resolved*, That Joel Frazier be appointed Doorkeeper for the Senate the present session.

On the question being put,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution passed.

On motion of Mr. Colby—

The Senate adjourned.

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THURSDAY, JUNE 8, 1843.

Joel Frazier, elected door-keeper, appeared and entered upon the duties of his office.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Smith—

*Resolved*, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall for the purpose of proceeding in the elections agreeably to the provisions of the Constitution—

Mr. Hoskins of the Senate, from the joint select committee appointed to compare and cast the votes for Governor and report to the Convention thereon, made the following

### REPORT.

The committee appointed to receive the returns of votes for Governor and compare and cast their numbers, report that the whole number of votes legally and constitutionally returned is

|                          |        |
|--------------------------|--------|
|                          | 44,583 |
| Necessary for a choice,  | 22,292 |
| Estimated as scattering, | 83     |
| For Daniel Hoit,         | 3,402  |
| For John H. White,       | 5,497  |
| For Anthony Colby,       | 12,551 |
| For Henry Hubbard,       | 23,050 |

who is duly elected Governor of the State of New Hampshire for the ensuing political year.

Your committee find no return of votes for Governor from the town of Manchester, in the county of Hillsborough.

Which report, on motion of Mr. Colby of the Senate, was accepted.

On motion of Mr. Hoskins of the Senate—

The Convention rose and the Senate returned to their chamber.

## IN SENATE.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. Atwood of Hillsborough, Oliver, Peirce of Dover, Tilton of Sandbornton, Haley, Rowell, Glover, Huntoon, Crosby of Hanover and Drown, a committee, with such as the Honorable Senate may join, to wait on His Excellency the Governor elect and inform him of his election, and that the Legislature will be ready to receive any communication he may be pleased to make, in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Pease—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify the Governor of his election.

*Ordered*, That Messrs. Smith and Pease be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Warner, from the joint select committee appointed to inform His Excellency the Governor that a quorum of both Houses have assembled, are organized and ready to receive any communication which he may be pleased to make, reported that they had attended to that duty and are directed by His Excellency to acquaint the Legislature that he has no communication to make to that body until informed whether he is elected, and if elected, not until after his induction to office.

Mr. Smith, from the joint select committee appointed to wait upon His Excellency the Governor elect and inform him of his election to the office of Governor of the State of New Hampshire for the ensuing political year, and that the Legislature will be ready to receive any communication which he may be pleased to make, reported that they had attended to the duty assigned them, and that His Excellency was pleased to reply that he felt deeply grateful towards his fellow citizens for this renewed expression of their confidence reposed in him, and that he would meet the Legislature in the Representatives' chamber at half past eleven o'clock this forenoon, accept the office, take and subscribe the oaths prescribed by the Constitution, and then and there make a communication to the Legislature.

Which report was, on motion of Mr. Warner, accepted.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Warner—

*Resolved*, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representative's Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution, Hon. Henry Hubbard, Governor elect, came in attended by the Honorable Council and the committees of both Houses, declared his acceptance of the office of Governor, and in the presence of both branches of the Legislature, took and subscribed the oath of allegiance and the oath of office; whereupon, Honorable Titus Brown, President of the Senate, declared His Excellency Henry Hubbard, Governor of the State of New Hampshire for the ensuing political year, and presented him with a copy of the Constitution of the State as a guide in the discharge of his official duties.

His Excellency then made the following

### ADDRESS.

*Fellow citizens of the Senate  
and of the House of Representatives :*

Having now taken the oaths prescribed by our constitution, as preliminary to my entrance upon the discharge of the public duties of chief executive magistrate, to which office I have again been elected by the freemen of New Hampshire, I desire to make known to the people the deep sense of gratitude, I feel for this reiterated expression of their confidence.

The peculiar circumstances which have attended the re-

cent elections in this State, cannot fail to impress our minds that there is a much greater cause for joy, than that resulting from mere individual success. It is for the triumph of those great principles, which are as dear to freemen as liberty herself, that renders the result of the late election matter of deep and abiding gratulation to the friends of equal rights and of equal privileges.

On this interesting occasion, it is assuredly fit that we should render to the Author of every good the homage of grateful hearts for His paternal care over us for the past year, for His goodness in having sustained the diversified interests of this Commonwealth, and for securing to the people the unimpaired continuance of social, religious and civil liberty.

What an impressive illustration is here presented of the character of our free and happy government! We assemble at stated periods, as the representatives of an intelligent and patriotic people, to enact laws for their as well as for our own guidance. A great change in that representation annually occurs: around me I observe men whom I did not meet in this place at the commencement of the last political year: and many were then assembled here who did not belong to either branch of the government the year preceding—affording evidence of the truth of that saying, which lies at the foundation of all our institutions, "*that political power emanates from the people*"—that they are emphatically the true sovereigns of this free representative government—that we are all here as their public servants, to carry out their will and to become the exponents of their opinions. It is this great and invaluable principle which makes the distinguishing feature in our government—the one which elevates it high and above all forms and political compacts which have hitherto been devised.

In my address to the Legislature at the commencement of the last political year, I recommended sundry alterations and amendments in the then existing statutes. I regarded them all as essentially connected with the true interests of the people. Notwithstanding the convictions impressed upon my own mind as to the importance of the changes then suggested, I shall not at this time call your attention to those subjects, as I do not intend to propose on the present occasion any special alterations in our system of laws. I shall commit the whole subject to your discrimination and good

judgment. If any amendments in our statutes are in your opinion necessary for the promotion of the public good, your own observation will readily suggest them. I prefer to leave the whole matter to your discretion, rather than to recommend particular changes.

Correct principles of legislation must always in a government founded upon law, be of engrossing interest to the representatives of the people. The first object of an intelligent community is to ascertain and establish the principles on which the government should be founded. In the written constitution of the various states of the Union and of the United States, the attempt is made with greater or less success to define with precision the general rights and duties which belong to individuals in their relation to each other, and to the public. That these attempts in the absence of experience should always be successful, was not to be expected by liberal and reflecting men. That timid reasoners, fearful even of improvement if it involved the necessity of a change, should sometimes mistake the form for the substance, must have been anticipated. That a prejudice should sometimes have been elevated into a principle, cherished with sacred care and embalmed in the chosen repositories of political truth, cannot surprise those who remember that it is with nations as it is with individuals; each must reach manhood before the crude notions of youth can be corrected. That superficial thinkers should adopt ill-digested plans upon partial and narrow views—that sanguine and intolerant men should strive to make the opinions of others assume the shape in which alone they could see truth—was less to be wondered at, than an unsettled state of society in which there should be neither shallowness nor intolerance. But the traces of the timid and the prejudiced, the superficial and the intolerant are not sufficient to destroy the harmony of a constitution formed by men sincerely anxious to attain to the knowledge of political truth. With all their defects the principles of our constitutions are expansive and comprehensive enough to admit of a legislation adapted to the daily increasing wants and refinements of civilized life, and to our keener appreciation of the true objects of all human society, the improvement of individuals in physical comfort and intellectual independence, and their progress in moral and religious attainments.

A constitutional theory admitted to be erroneous and upon which no legislation is ever founded, although it may injure the symmetry of the instrument as a work of art, may not lessen its value, on the whole, as a summary of political truth, and as each year, it is to be hoped, adds to our stock of political knowledge, we are less liable to confound accidental defects with principles of acknowledged truth. No wise constitution ever embodied in itself, as a principle to be acted upon, any intolerant theory of government, of religion or morals. No educated and thoughtful people ever acted upon any such theory, and no people whatever ever practised it without sooner or later becoming the victims of their own blindness. We learn to tolerate a theoretical defect in a constitution, as we learn to bear with the follies and vices of our race. And these mankind are beginning to perceive, can better be corrected by time and patience than expelled by violent remedies. In legislation, experience teaches us that, except in extreme cases, it is better to pause, until the operation of a system can be understood, than, because we may think it theoretically wrong, suddenly to introduce another on which experience has thrown as little light.

Since the adjournment of the last session, the Revised Statutes of New Hampshire have been published and laid before the people. In the month of March last in pursuance of the duty imposed upon me by the resolution adopted at the last session of the Legislature, I made a careful examination of the manner in which the public printers of the State had performed their contract. The result of that investigation was that their duties had been scrupulously fulfilled. The volume is well bound and printed upon paper and with type fully equal to the terms of their agreement. The work is remarkably free from typographical errors. In several instances errors and omissions in the copy furnished them by the Legislature, are noticed in the book in such a way as to draw your attention to them and enable you to legislate upon such particulars as may seem to require it.

The publication of the laws of the State in this revised form is undoubtedly a great improvement upon the former system. The cumbersome and ungrammatical phraseology of many of the statutes has been corrected. The involved and obscure meaning of many sections has been elicited and enunciated in distinct and intelligible propositions: provis-

ions upon the same subject, but separated from each other by wide intervals of years and pages, have been brought together and classified. Repealed statutes have been omitted and a general character of compactness and simplicity has been given to the whole. All persons of reflection and all those whose duty it is either to examine or expound the laws, can readily perceive that the labor and expense devoted to this object, have met with a satisfactory reward. It would be difficult to find two gentlemen who, in the very short period allowed them to complete so laborious a task, would have performed it so well and so thoroughly as Messrs. Bell and Fox, the commissioners appointed by my predecessor to perform that duty. That there are defects and omissions in the book as now published, which a longer time for examination would have enabled the Legislature to discover, and which would have been remedied by greater caution, is not improbable. It would be wonderful indeed, if from the haste and carelessness which have disfigured many of our statutes for the last fifty years, we had at once been awakened to the necessity of bestowing upon the enactment of the laws that patient care and studious diligence which are requisite to the perfection of every other intellectual effort. The improvement already made is a great and essential one and will undoubtedly be valuable both in its immediate and practical effects, and as an example. It is singular that, compared with other subjects of human interest, the business of careful legislation should have occupied so little of the attention of the community. It is not, surely, that the subject is one that requires but little intellectual effort. There is in truth no matter of temporal concern that requires so much. A good system of laws founded upon and in harmony with the principles of a free government, adapted to the wants of the people, comprehensive enough to embrace within its range all their essential rights and duties, but not sufficiently minute in its details to become oppressive in its operations, is one of the most difficult, as it is one of the rarest, achievements of human skill. The names of great lawgivers have been handed down to posterity as the greatest benefactors of mankind. Properly to perform this duty requires not only great abilities, a well disciplined mind and habits of accurate thought, but indefatigable perseverance, a clear perception of the object to

be attained, its consistency with the general plan and the invaluable power of close and patient attention. It would be unreasonable for us to repine at the absence of great jurists, for they are seldom found among mankind. But if the genius of a great lawgiver does not exist among us, we are still unpardonable, if we regard legislation as an irksome task which we may slight or evade without a violation of our official oaths. The more unpresuming virtues of industry, caution and investigation, it is to be hoped, still exist among us. There can be no sufficient excuse for hasty and careless legislation. We require of the advocate who manages our causes, the physician who prescribes for our diseases, of the architect who constructs our buildings, that each of them shall call into exercise his best efforts, and shall apply the principles of his art to the conduct of our business. We expect them to consider the object to be attained, to perceive all the obstacles in the way of success, to view the subject in all its bearings and to take time enough to assure themselves that the best mode is adopted. No less, surely, ought to be required or expected of the legislator. The man who enunciates a proposition in mathematics, without considering the result to which his principle will lead him, or who promulgates a doctrine in morals, without reflecting on its operation upon the happiness of the community, we look upon as a pretender, and unworthy of our confidence. And certain it is that there can be no duty more responsible or more important, than that which we owe to those who sent us here—no interests more momentous than those confided to our keeping ; and yet legislation is too often regarded not as a serious duty, involving the happiness of the community and calling for self denial, labor and forethought. Laws are too frequently passed without sufficient consideration, to answer a temporary purpose, and upon a partial view of the subject. When such laws go into operation, they are found to be defective, and their defects beget a necessity for the passage of other laws: these in their turn soon require amendment, until the system becomes a crude mass of contradictory provisions, almost defying analysis and discouraging the most faithful and diligent inquirer. Changes are then proposed in the laws to remedy existing defects, and alterations are from time to time made without fully accomplishing the purpose designed. Evils exist,

much time and money are squandered in litigation, until the public attention is aroused, and the people become convinced that a farther expenditure of time and money is necessary, to avoid the evils which should have been avoided in the beginning. Such was the conviction growing out of the state and condition of our system of laws, as it existed anterior to the late revision. The interests and the happiness of the people demanded a revision of our public statutes. The work has been done, existing evils have been remedied, a system has been arranged, with a precision, order and method required by the wants of the people.

It should be our end and aim, and the end and aim of those who come after us, not to mar this system by hasty legislation—if defects shall hereafter be discovered, to provide for such defects in that plain, direct and intelligible manner, as will add beauty and strength to the work.

But after all that has been done—after all the evils have been remedied so far as human skill will avail—certain it is that litigation will arise. It is idle to suppose that, under the Revised Statutes or under any system of laws which the wisdom of man ever devised, litigation will cease or will ever be essentially diminished. We are no better than those who have gone before us—have the same frailties as those of olden time ; the same passions and prejudices, the same ambition and selfishness, that characterized the chosen people for whom, thousands of years ago, the Almighty dictated a code of civil government, imposing penalties for their offences and regulating their controversies. The passions which, five hundred years since, placed men in battle array against each other, now find vent in the peaceful arena of a court of justice ; and judges and jurors in their respective provinces, pass upon questions and determine rights which were once adjudicated by the sword. Men are made of the same clay and are agitated by the same passions as of old. Christianity, however, and a more accurate view of the objects of human society have taught us that reason and law are the best safeguards of human happiness. Litigation will exist so long as men are the creatures of impulse, so long as craft and cunning turn us away from the right path, or pride and obstinacy render us callous to our sense of duty. The imperceptible but sure changes that are constantly going on in manners, in notions of gov-

ernment and in the appreciation of our rights, afford food for discussion, which too frequently terminates in litigation. And when we consider that no one case in all its particulars can ever afford an exact precedent for another, and that in the infinite variety of human circumstances no case was ever exactly like another, we cease to wonder that men plunge into controversies. The utmost that legislation can do, is to adopt a system of general rules, within which all probable cases may be included, in order that, if there must be litigation, the parties may reach the actual merits of their disputes, without wasting their strength in vain endeavors to ascertain the meaning of the lawgivers, and to obtain a judicial construction of their acts.

I have thus alluded to the defects in our legislation, because I think they are evils common to and increasing in every part of America. The fatal facility of making laws in the thirty legislative assemblies of the United States, has caused an accumulation of statutes embarrassing to the courts and to the bar, and injurious to the people; and the ease with which public laws are passed in our own State, should not fail to excite a spirit of great vigilance and caution. In a single hour an important act may go through all the forms of legislation and become the law of the land, at the time believed to be harmless in its provisions, called for by the interests of the State, and tending in no respect to the injury of individuals. Yet, a short experience affords proof that this legislation was uncalled for, was unwise, and in its effects prejudicial to the interests of the State and disastrous to the rights of the citizen. It has occurred to me from the best reflections which I have been able to give to the subject, that no public act passed at one session of the Legislature should take effect until thirty days at least after the commencement of the next succeeding session, and that the same limitation should be imposed upon all private acts, which can by possibility either affect the interests of the State or of individuals. Such a provision would take away, in all probability, the practical evils ordinarily resulting from hasty legislation. It is an undeniable fact that the frequency of change in our public laws is an evil, and if such evils occur, they should be commented on plainly and decidedly. I speak decidedly, because I feel deeply the importance of the subject. I speak with a confidence that my remarks will

be taken in the same spirit which actuates me in making them, and with an earnest hope that the representatives of so orderly, so industrious and so religious a people as the citizens of New Hampshire, will hereafter be ambitious not to increase the number of the laws, but with patience and forbearance to ascertain the positive defects in the existing legislation, and then to apply such correctives as the nature of the case may require. Having so recently given to the public our system of statute law, it is but the part of wisdom to suffer it to remain unchanged, until experience shall suggest defects which the condition of society, the wants of the people and a regard to their true interests require should be remedied.

Our primary schools richly deserve at all times the patronage and encouragement of the legislature. Our government is based upon the virtue of the people : that virtue is best preserved as knowledge shall be most diffused. As the means of education, the nurseries of pure morals and the sources of undefiled religion, these primary institutions of our country have within the last twelve months excited much of the public attention. A new impulse has been given to the public mind, and a new spirit has been awakened to the importance of our common schools for the spread of morality and religion, for the diffusion of intelligence among the people and for the preservation of our republican institutions.

Those patriots who framed the constitution of our State, incorporated into that instrument a sentiment worthy of themselves, that knowledge and learning generally diffused through a community were essential to the preservation of a free government, and that it was the bounden duty of legislators and magistrates to cherish the interests of all seminaries and public schools. This injunction of our political fathers should never be forgotten or disregarded by the friends of popular liberty. In my first address to the legislature I alluded to the republican character of our free school system. I then remarked that in those institutions are imparted to the youth of our State that love of civil and religious liberty, that high devotion to the cause of human rights, which lead to the unfailing exertion of their energies and of their efforts for the security of individual and public freedom. The constitution of our primary schools points

them out as especially meriting public confidence and public support. The scholars in these seminaries must be on terms of strict equality, and mingle together exclusively for instruction. The children of the poor as well as of the rich—those emanating from the laboring classes, as well as those from the independent portions of our community—enjoy the same rights and the same privileges: they commence their course of study—enter upon the acquisition of knowledge, under like influences and with like hopes. Our primary schools may well be denominated public institutions. They are sustained at the public charge, are dedicated to the use of all the youth of certain ages within the limits of our State, and a direct benefit is periodically realized by the education of the sons and daughters of our republic. Our free school system may be considered as the heart of the body politic, and the streams which are continually flowing from it, give health, vigor and strength to all the members of our community.

It has been matter of complaint that our common schools were not receiving that encouragement from the hands of the Legislature, which they ought to receive. Academies and high schools, it is said, have been multiplied in our land to the neglect of those primary institutions which should be our pride and boast, and which should receive, as they merit, our constant care and support. Far be it from me to say any thing which might tend to discourage that public and benevolent spirit, manifested in providing for the thorough education of any portion of our community. If the effect of multiplying other literary and scientific institutions be to break down our common schools, to change their character and impair their usefulness, the friends of a general diffusion of knowledge and learning would regret the tendency of any course to produce any such effect. There is, however, within the power of the Legislature at all times a perfect remedy for any such evil. Elevate the character of our primary schools. Place within the reach of the most depressed son of poverty within our State; the means of obtaining a thorough English education, through the influence of these free seminaries of learning. Let there be such a division, (whenever practicable,) of the youth, that the younger scholars may constitute an exclusive class to receive such instruction as they would require: and let the schol-

ars more advanced in attainments, be placed under the exclusive guidance and instruction of those well qualified to teach the higher branches of an English education.

It is a reproach to our free school system that the higher branches of mathematics, philosophy and political economy can only be acquired at our academies and high schools. This should not so be. An invidious feeling is thereby engendered among the youth of our State, and one of the great objects of our free primary schools is defeated, and that is the opportunity of giving to the poorer classes of our community as thorough an English education, as can be attained elsewhere; and thus fitting them to perform the duties which may devolve upon them as citizens of this republic.

I do not design to recommend any alterations in our present militia system. It has received its present modification after having been carefully and recently revised by the immediate representatives of the people. I would therefore confidently trust that no amendments will be attempted in our militia laws, until experience shall suggest the necessity of further change. Far better is it to bear some practical inconveniences than to subject the system to frequent alterations. No man can entertain a more exalted opinion of the value of a well regulated militia for the preservation of our institutions and for the protection of the rights of the citizen, than myself. No man, looking to the honor of this free country, the continuance of this free government the happiness of this free people, could more deeply lament than myself the existence at any time of a sentiment or feeling opposed to the respectability and usefulness of our militia.

In connexion with our primary schools, the institution of our militia alike deserves the protecting care of the State government. The minds of men may be enlightened; the value of political and social virtue may be realized; the genius of our liberal institutions may be well understood; and laws may be passed with all the sanctions which the wisdom of man can devise; yet all these would avail but little, without the influence of a citizen soldiery: without that moral force, that physical "*corps de reserve*," designed for the ultimate security and defence of the just rights, the equal privileges, the constitutional liberty of the people. These opinions are given as the result of much

reflection. They are presented to you as my sober convictions. And I cannot but hope that they will find a hearty and concurrent response from those to whom they are addressed, and that at no future period of our history will any representative body of the people be assembled without feeling the force of the sentiment, *that for the due preservation of the liberties and the rights of the people, and for the security of our free government, it becomes their bounden duty to do all that can be done, to maintain the character and to promote the usefulness and efficiency of our free school and of our free militia systems.*

From communications which have been made to me, I learn that the Asylum for the Insane has been in readiness for the reception of patients for the last seven months; that about seventy within that period have been received at the institution, twenty of whom have been returned to their friends, having been partially or perfectly restored to the exercise of their right reason; and that nearly fifty are, at this time, under the charge of the superintendent. It is worthy of remark that the Asylum for the Insane in its erection and in its subsequent management has been conducted with great judgment and economy, and although such institutions are unavoidably subject, at the commencement of their operations, to severer charges than are ordinarily incurred afterwards within the same period of time; yet it is believed that the means within the control of the Asylum will enable it to meet its ordinary expenditures for the coming year. The buildings and the grounds belonging to this institution, its location and superintendency, cannot fail to recommend it to the public as a most desirable retreat and residence for those unhappy fellow beings who, for a time, may have been deprived of that unerring light given us by the God of nature for our guide and direction. The Asylum will, I trust, continue to command and receive in its behalf the sympathies and efforts of the friends of humanity here and elsewhere.

Since the adjournment of the last Legislature, I have received a communication upon the subject of the geological survey of this State. No doubt a further report of much interest will be submitted by the State Geologist before the close of this session, and as soon as received, it shall be transmitted for your information.

Under the authority given to the State Treasurer by the resolution of the last legislature to borrow thirty-five thousand dollars for the use and upon the credit of the State, he has been enabled to supply the treasury with means, (derived from our own citizens and institutions,) sufficient to meet all demands which have hitherto been made upon him. And I feel warranted in stating that he will be able to command, under the same resolution, funds sufficient to meet the expenditures of the State for the ensuing half year, and that from the tax payable into the treasury in December next, he will be supplied with the means of extinguishing the entire debt of the State for money borrowed, and have a balance in the Treasury, applicable to the wants of the government at the commencement of the next political year. The State of New Hampshire has much cause for congratulation for her resources, her credit and for her freedom from pecuniary embarrassment.

Within a short time past the Executive Branch of the government has made a full and careful examination into the receipts and expenditures for the past year, and into the present condition, of our State Prison, and also into the health, habits and conduct of the prisoners.

The income of the Prison, according to the statement of the Warden, during the year ending the 30th of April, 1843, has been as follows :

|                                      |           |
|--------------------------------------|-----------|
| Net receipts from Cabinet shop,..... | \$2564.33 |
| “ “ Shoe shop,.....                  | 1653.33   |
| “ “ Smith shop,.....                 | 2805.35   |
| “ “ Profit and loss,.....            | 142.98    |

Making,.....:.....\$7165.99

Within the same period there has been disbursed :

|                                 |           |
|---------------------------------|-----------|
| Expenses, &c.,.....             | \$3392.68 |
| Provisions, &c.,.....           | 2231.75   |
| Clothing, bedding, &c.,.....    | 435.98    |
| Repairs and improvements, ..... | 70.03     |
| Steam Engine,.....              | 228.64    |
| Interest acc't,.....            | 68.55     |

\$6427.63

Giving a balance of profit of.....\$738.36

Cash receipts within the year have been.....\$8848.00

Cash expenditures, .....\$5389.45

Leaving on hand in cash, April 30th, 1843, .....\$458.55

It is, however, a duty devolving upon you as the immediate representatives of the people, to institute a thorough and rigid investigation into all the means and liabilities of the institution, and to ascertain by a minute examination whether in the report of the Warden any means are estimated which may not be available, and whether a full exhibit is given of all the liabilities of the Prison. Such a course of proceeding should not be dispensed with, and at the commencement of every year the true and actual state and condition of the prison should be ascertained and laid before the people.

The number of convicts in confinement at the time of the examination was ninety-nine. The health of the prisoners has been generally good. There has not been a death among the inmates at this institution for nearly two and a half years, a circumstance, taking into consideration the number, unparalleled in the history of state prisons, and clearly proving the beneficial effects of regular exercise, rest and diet. The New Hampshire State Prison is at this time, in our opinion, in a better condition than it has been for many years past, and in point of discipline second to none in this country. The resources of the prison are amply sufficient for its support, and no aid from the treasury will be necessary for the coming year. It occurred to the Executive that no alteration in the employment of the prisoners could be advantageously made. The convicts are mostly employed either in the smith, shoe or cabinet shops. The contract for the service of the prisoners in the smith shop secures to the State for each one forty cents per day: in the other shops a little less is realized; and it is supposed that a less favorable contract will have to be made for the future employment of those who may labor in the smith shop. It is, however, a matter of fact that the prisoners are and may continue to be supported, with good and wholesome food, at the rate of seven cents per day for each; and unless there should be a material falling off in the subsequent receipts at the penitentiary, a sufficient sum will be realized to meet the annual expenditures of the institution, including the salary of the Warden; and the accounts hereafter to be submitted by that officer will, by direction, contain a charge

for the payment of his own salary, instead of receiving it direct from the treasury as has been heretofore practised. The Executive could not fail to admire the good order, the neat and cleanly appearance of the several apartments of the prison. All seemed to have been done by the Warden and those under him, which could have been done for the health and comfort of those under their charge. And they learned with equal satisfaction that the convicts were constant in their attendance upon the religious services of the Sabbath, and conducted and demeaned themselves with propriety on all such occasions.

In pursuance of the statute of the last session, two Justices of the Circuit Court of Common Pleas were appointed and commissioned; and from the experience which has already been enjoyed, there can be no doubt that this alteration in our judicial system will prove most salutary, enabling the respective courts of common pleas to transact the business falling within their jurisdiction without unreasonable delay, and of consequence, with economy to the public as well as to the parties litigant, and affording also to the Judges of our Superior Court all the time and opportunity necessary for that prompt performance of their appropriate duties guarantied by our constitution.

In accordance with the request of the last Legislature, I transmitted to the governors of the several States copies of the resolutions upon the subject of postage and the franking privilege, and to the governors of the New England States copies of the resolutions upon the subject of banking and the circulation as money of small bills of a less denomination than five dollars. Whatever communications shall be received in reply, shall be immediately transmitted for your information.

I also sent to each of our representatives and senators in Congress copies of the resolutions of our last legislature, upon the important subjects of the tariff, the bankrupt and distribution acts of the last Congress.

I cannot permit this opportunity to pass without an expression of my full and perfect concurrence in opinion with those expressed by the last Legislature in the resolutions to which I have referred. Nor can I permit the occasion to pass without bearing testimony to the propriety and fitness of such legislative proceedings.

New Hampshire is a member of this great confederacy of states. And the patriotism, the intelligence, the self respect, the stern and inflexible principles of her people would never tolerate any disinclination in their representatives to speak forth, on all proper occasions, their views on all matters of public policy. Integrity, vigilance, fearlessness belong to the patriot, and that man can be but little acquainted with the character of our citizens, who would deny to them the possession of those qualities in a most pre-eminent degree.

It is your high privilege to declare your opinions of the measures of those charged with the administration of our national affairs. A declaration of your views, as the representatives of an independent member of this union, is not only a matter of right, but may be a matter of duty. As an integral part of the republic, New Hampshire cannot be indifferent to the acts of Congress. Their operation is either for good or for evil upon her citizens. And the character of all national measures should be well examined, and either approved or condemned by the intelligence and patriotism of the country. If any infraction has been committed by our public servants upon the constitution of this republic, we should not be silent. A frank avowal of the opinions of the constituted authorities of any one member of the confederacy, in relation to any national measure, may induce an entire change or such a modification as would render the measure acceptable to the people. This is the way open at all times to reach the ear of Congress and thus prevent the long continuance of unconstitutional and oppressive acts of national legislation. Any administration of our public affairs, which shall by its measures act in disregard of the best interest of the country, forfeits all claim to public respect, and cannot and should not command public confidence. Our motto should be, "everything for principle, nothing for men." "It would be a dangerous delusion, were a confidence in the men of our choice to silence our fears for the safety of our rights. That confidence is everywhere the parent of despotism. True government is founded in jealousy, not in confidence. It is jealousy, not confidence, which prescribes printed constitutions, to bind down those whom we are obliged to trust with power."

It may not be unprofitable or considered out of place for me in this public address, to portray some of the effects of the existing restrictive tariff upon the great body of the consumers of the importations of the country. "For it is believed that the system would not last beyond a single Congress, if the people understood precisely how it operates upon them." And yet, within the lim-

• its of this address, I can only in very general terms refer to the measure in its consequences: even this may be sufficient to awaken such a spirit of inquiry as will lead the people to rid the country of a measure so oppressive to their prosperity and so prejudicial to their happiness. There is no subject exclusively within the jurisdiction of Congress of more interest to us, than that of raising a revenue. As the expenses of the national government must be defrayed by the people of the union, it is important to each one of us, that Congress should adopt the best mode of attaining this object. But names have still so much more influence over us than things, that the system of direct taxation necessarily adopted in the different States to defray State expenses, has never found favor when it has been proposed to apply it to raise the national revenue. And abundant as have been the errors to be found in the history of human legislation, they have probably been more numerous on this subject than on any other. Taking it for granted, for the present at least, that it is more acceptable to the people, that a revenue should be raised by a system of duties than by direct taxation, the principle to be applied seems to be an intelligible one. It is that the duty should be imposed upon such articles and in such a way, as will cause the least expense to the consumers. It is necessary, of course, that duties should be imposed on articles, the consumption of which would be sufficient to enable a revenue to be raised from them. And when the duty is imposed on such articles and such alone, as will yield a sufficient revenue with the least injury to the people, and with the honest intention alone of raising a revenue, the fact that certain articles of home manufacture increase in price to the benefit of those citizens who are employed in producing them, as it would be a necessary consequence of the duties, so it would not be a cause of complaint. But when the legitimate purpose of a tariff is lost sight of in the eagerness to raise the profits of home manufactures to the owners of them, and when by the imposition of unnecessary or injudicious duties upon foreign articles, not only their price is raised, but the home manufactures are made equally expensive to the consumer, the common sense of the people revolts; and they begin to murmur that the actual receipts into the treasury should bear so small a proportion to the burdens which they are made to sustain, in consequence of a complicated and unwieldy system of duties.

It appears from a statement furnished by the Treasury department, that the average amount of duties on dutiable articles imported during the last quarter of 1842, is a little more than 35 per cent. on their *ad valorem* value, and at that rate an importa-

tion of forty millions of dollars of dutiable articles, during the year 1843, must produce a gross revenue of fourteen millions of dollars, which will yield a net revenue of nearly thirteen millions of dollars; one million out of fourteen being the custom house expenses of collection. It has been demonstrated by one of the best thinkers and writers of the country that, including the custom house expenses, the cost to the people of collecting a tariff tax is not far from 45 per cent. upon the amount which actually goes into the treasury. This burden is inevitable thrown upon the consumers of dutiable articles, and this, where the tariff is purely for revenue. It matters not to what class of the community the consumer belongs. He who consumes a single article embraced in the tariff, pays a portion of the tax and of the cost of collection. If the fourteen millions of dollars of revenue was derived exclusively from duties imposed upon articles, similar in kind to those which are manufactured in our own country, the products of our own labor, the unavoidable tax to the consumer would be nearly doubled. There is in fact no mystery in the operation of a tariff upon home manufactures, although the enormous burdens with which the people are laden in consequence of a tariff for protection, have either been kept out of sight or overlooked. The actual cost to the people of a tariff for protection may be shown in a very few words. And I will endeavor to illustrate it by some brief but familiar references and statements. If we take the importation of salt for the year 1840, the oppressive effect of this protective policy will be seen. In that year we imported into this country over eight millions of bushels and manufactured over six millions. The duty was eight cents on a bushel of 56 pounds, when it is known that the average cost abroad does not exceed eight cents per bushel. The gross revenue accruing from the amount of the importation of salt for the year 1840, a little exceeding six hundred and fifty thousand dollars. The price of the six millions of bushels manufactured in this country, would be increased to the amount of the duty imposed upon the foreign article, together with all the costs and charges of collection. The inevitable effect must have been to have subjected the consumer of this article, so valuable and of such general and indispensable use, to more than one hundred and thirty-three per cent. on the salt consumed, in order to afford protection to a few hundred salt manufacturers. The same principle applies to every article which is made subject to duty, and where a like article is the product of our own manufactures. The operation of the tariff upon all such classes of articles must be to raise the price of the domestic, so as to correspond with the price of the

foreign article, and in this way to give protection to the sugar planter, the salt maker, the iron master, and the cloth manufacturer, at the cost and charge of the farmers, mechanics and all the other consumers of the country.

"The precise amount of home manufactures purchased by our people, corresponding in character with those subject to duty imported from other countries, may be estimated at least equal to the imports, or at their natural price, worth per annum \$40,000,000: As the price of the imports is increased 35 per cent. by the tariff, so the price of similar articles manufactured at home will be increased 35 per cent., which upon \$40,000,000 gives \$14,000,000, equal to the entire gross revenue." We can, from these facts, form a fair estimate how much the American people pay to get \$13,000,000 of net revenue into the treasury. This will appear from the following exhibit :

|  |                    |
|--|--------------------|
| Custom house expenses,   | \$1,000,000        |
| Cost of collecting the revenue tariff tax, independent of the custom house charges, comprising importers, merchants and dealers' profits, &c., estimated at 33 1-3 per cent. | 4,666,666          |
| The protective tariff tax, if the revenue is derived from duties on articles, when like articles are manufactured in our own country,  | 14,000,000         |
| The cost, &c. of collecting the protective tariff tax would be   | 4,666,666          |
| Add the net revenue,   | 13,000,000         |
| Making   | <hr/> \$37,333,332 |

"Thus it appears that out of \$37,333,332, paid by the people under the existing system, only \$13,000,000 gets into the treasury. Of the balance over \$14,000,000 is money transferred by legislative legerdemain from the pockets of the consumers to the pockets of the manufacturers. Four millions and two thirds is the cost of this operation, while four millions and two thirds is the cost of collecting the revenue tariff tax, and one million the custom house expenses." Could any system of revenue be more unjust, more expensive, more iniquitous?

"Agrarianism takes the property of the rich and divides it among the poor. This system is worse. This takes the property of the poor and gives it to the rich."

Now it would be unreasonable to complain of this sum, enormous as it is, provided the duties were judiciously imposed, if a system of indirect taxation is adhered to. But when we consider

the indirect cost to the consumers consequent upon a tariff for protection, it may well be a matter of wonder and grief that we have profited so little by half a century of self government. It is evident that a system leading to such results, is radically wrong. It is our duty, as liberal and enlightened men, to pay whatever is necessary for the national defence, for the expenses of government and for the support of justice and the laws, without requiring any other return than the blessings of civilized society. But all expenses unnecessary for these great objects, are unauthorized by the theory of our constitution and at variance with the simplicity of a republic. I can add no more on this subject: the remedy is with the people. Sure I am that a government emanating from and sustained by them, and yielding in theory a greater security to human rights, will not in practice be found to impose a greater burden for its pretended support, than any other which has ever yet been devised by the wit of man.

If corruption is abroad in the land; if it has found its way into our national councils; if our public servants are faithless to the constitution and to the cause of equal justice; you are bound to do what you can to ferret out the wrong. Even a voice from this Legislature may stay the progress of a measure charged with all manner of evil. We have heretofore felt ourselves called upon while in the way of our duty, to denounce the act of Congress providing for the distribution of the avails of the public lands, not only as an open and flagrant violation of the constitution, but also as a measure fraught with most mischievous effects, subversive of the independence of the States and debasing to the patriotism of the people; and much to the honor of the country, the evil of that demoralizing act of Congress has been checked by the force of public sentiment. Our efforts may have contributed in producing so glorious a result. We felt it to be no less our duty to assail another act of the same Congress, as degrading to the moral sense of the whole country and destructive to the interests of the American people: and I am happy to say that this measure is no longer suffered to debase our character by occupying a place among our public statutes. I was opposed to districting our territory for the election of our representatives, and I could not permit an act of the same Congress to go into effect, giving to the states their mandate for the accomplishment of such a purpose, without protesting against the constitutional power of Congress to exercise any such authority, and without urging upon the Legislature to resist every such encroachment upon their rights. We have reason to believe that this act also will in practice be wholly inoperative. Vigilance, fidelity and perseverance will alone secure

to the natural man the protection of his personal and political liberty.

The events of the last year have forcibly impressed the public mind that the sovereign power of this free country will control her destiny—that no administration of our general government, possessing all the adventitious advantages of powerful majorities in every branch, can conduct the public affairs for any length of time in disregard to the interests of the people. They will speak forth in such authoritative tones that the weakness or the wickedness of any man or any set of men, will quail under the influence of such a power. A recurrence to the past history of the present administration of our national government, furnishes confirmation of the direct influence of popular opinion. In the plenitude of their power, they passed the mad scheme of abstracting from the national treasury a portion of the national revenue and giving it to the states. The controlling influence of public sentiment has compelled these same servants to count this measure as among the things that are not. They passed also a bankrupt law, and the voice of the people has repealed it. The legislative branches in like manner passed the most odious of all odious projects, the establishment of another national bank, and the strong force of popular feeling vetoed this measure. I have adverted to these events to remind you that, as vigilant watchmen, you have something more to do than to provide for the wants of your immediate constituents—that it is the bounden duty of all of us composing the representative body of the people, to watch with constant vigilance and solicitude those connected with the administration of our public affairs—to expose to the intelligence of the American people, every act impairing the force of our political compact or infringing the great principle of exact justice and equal protection.

No state in this Union contributed more, in proportion to her numbers and to her means, in aid of the establishment of the independence and government of the country, than the State we have the satisfaction of inhabiting. And no state will bear more and struggle longer to preserve that independence unabated and that government unimpaired, than New Hampshire. I would here reiterate a sentiment formerly expressed by me, that if the liberties of this country shall at any future period of her history be lost, that loss will be traced to the unwarrantable legislation of Congress; to the exercise of powers on their part not delegated by the constitution.

It is deeply to be regretted that “the mania for state banking and the mad career of internal improvements,” have involved any

of the states of this great confederacy in an indebtedness so embarrassing, if not so oppressive, as to render them unable to meet their engagements with promptness and punctuality. I cannot concur in the sentiment which has been expressed by some in authority, that a failure of one state to redeem its own liabilities, impugns the character and credit of the other states of this union. I cannot recommend, as has been done by others, the passage of resolutions expressive of the strong interest which this State feels in the full redemption of every pledge given by other states, of its public faith and of our utter detestation of the "abominable doctrine of repudiation" as applicable to independent and sovereign states. I merely wish to be understood as saying that in my opinion the State of New Hampshire, in her political capacity, is not called upon to condemn or to approve the course which any of the states of the union has taken in relation to her own liabilities. In my judgment this State has no concern with the affairs of those states which may be involved in debt. With just as much propriety and fitness can this Legislature cast censure upon individuals for their failure to perform their contracts, as to adopt a resolution condemnatory of the conduct of those states which have for any cause neglected to redeem their plighted faith. That is a matter which can in the one case only affect the individual, and in the other, the state. It would seem to me to be equally as appropriate and as justifiable for this State to inquire into any other matter, connected with the internal policy of any member of the union, as to investigate the causes of her indebtedness or the still more odious office, the causes of her delinquency.

New Hampshire, with but few other states, remains unembarrassed with debt, and can it become us to prescribe any lessons in morals to those who may be differently situated? Does it become us to hold forth to them the danger of repudiation, and the all importance of a prompt redemption of every pledge of public faith? Does it become us to declare that the practice of the one is an outrage on "public honor," and a failure to observe the other is dangerous to "public liberty?" Does it become us to say what these indebted states *must do*? I think not. It is a matter which exclusively concerns themselves. The states unembarrassed with debt, should be cautious how they interfere with the affairs of those oppressed by outstanding liabilities.

No attentive looker-on who has watched the course of events for the last twelve months in and out of Congress, can have failed to have come to the conclusion that there is a mighty effort abroad in the land to induce the Congress of the United States, at no distant

day, to provide for the assumption by the general government of the entire indebtedness of the states. Such a measure has been openly avowed and advocated on the floor of the House of Representatives in Congress, and such a project, if any reliance can be placed upon the signs of the times, has found favor within the Senate of the United States; and such a movement finds encouragement in the action of legislative assemblies, holding out the idea that American credit is unfavorably affected by the conduct of a single individual state in neglecting to meet its liabilities; holding out farther the all importance of preserving that American credit from being tarnished by such acts, and thus encouraging those who are presumed to represent in Congress the virtue as well as the intelligence of the country, no longer to suffer this stain to rest upon our national escutcheon, but to go forth to the work at once and to take upon ourselves these state liabilities.

Fellow citizens—This is no picture of the imagination. The exhibit is drawn from clear, direct and undeniable facts. When the much lamented senator from Tennessee, who is now no more, presented the report of the committee upon this same subject to the United States Senate, his doctrines founded, as they were, in the deepest wisdom and in the purest patriotism, were condemned by the friends of the present administration, then members of that body, as wholly uncalled for; as strange; as tending to impair state credit: and it was said over and over again by grave senators, that the idea of an assumption of the state debts by the general government, if not ridiculous, could not have been seriously entertained by any American statesman. Was this the fact? The occurrences of the few past months cannot fail to have satisfied every man that the avoidance of all action of those friends of this administration, upon the resolutions of that distinguished senator, must have been induced by a deep and controlling conviction that such a measure *might become expedient*, and that the safer way would be not to declare openly against its unconstitutionality or its impolicy, but to leave the whole matter to be regulated as time and circumstances should seem to require. Is there a friend of his country within the reach of my voice, who can doubt that this scheme fraught as it is with the most dreadful and dangerous evils to the harmony and union of the republic—to the peace and prosperity of the people—is seriously contemplated by some of the public men of our country? Certain the fact is so; and it becomes us, the representatives of freemen jealous of power and tenacious of their rights, to meet this project at the threshold—fearlessly and frankly to declare the honest convictions of our minds touching this subject—to induce, if pos-

sible, by our bold and energetic action, the representatives in Congress to prevent the adoption of a measure, more calculated than any other to rend asunder the ties which bind together this great confederacy. In behalf of the independent and patriotic state you represent, you are called upon to put forth your sentiments upon this subject, and to stay, if practicable, the onward progress of this plan matured and well considered as it has been; and thus preserve the justice and honor of this nation—the peace, the confidence, the hopes of the American people.

At the commencement of each political year, it has been a custom coeval with the existence of our government, for the Executive to make a communication to the legislative branches, in relation to matters of general and local policy. And on such occasions it becomes his duty to re-examine the positions which he may have previously assumed; to take a retrospect of the ground which he may have occupied, and with honesty and fearlessness to point out all errors, if any, either in principle or in practice, which may have occurred to his mind. All such communications would lose their value and would become little entitled to the confidence of the people, should they be found pertinaciously to reiterate sentiments which reflection and experience have condemned. If mere pride of opinion could induce a public servant holding the honorable and responsible office which I now fill, to compromise his own integrity, so far as to make a public and official declaration of views repugnant to the deliberate convictions of his own mind, he would deserve and assuredly receive the contempt of his masters. The people are not slow to discover whatever tends to endanger their peace, to embarrass their rights, or to prejudice their interests; and if these tendencies have proceeded from the adoption of measures recommended by their Executive, they will not fail to apply the remedy always within their control.

In presenting this address, I have been induced to examine the opinions promulgated in my former communications to the Legislature. I have been induced to do this for the reason that those opinions have been assailed, and the principles advanced have been directly condemned by men who once occupied responsible stations in this government, and long enjoyed the respect and confidence of their fellow citizens. And I cannot consistently with that uprightness and integrity which I hope ever to maintain, say to you that on either of the occasions when I have found it to be my official duty to address the Legislature, have I given utterance to sentiments which are not now approved by my best judgment. Under the high responsibilities of my official station, I have not hesitated to present to the people of this State my views touching

a species of legislation, which had so extended itself as to have involved rights and interests, sacredly protected by the supreme law of the land. The too frequent granting of acts of incorporation to individuals for private purposes, and the consequent invasion of private property for the accomplishment of those purposes, had produced no ordinary excitement. The relative and absolute rights, duties and powers of private corporations and of individuals were subjects of engrossing thought. My own sentiments had been freely expressed upon these matters long before I was elevated to this office. This subject has lost none of its importance and none of its interest with the people. And I propose to submit at this time some additional reflections. I have no other object to attain but to carry out the great design in the constitution of free political communities—to *protect the weak from the encroachments of the strong; to defend the impotent from the influence of power, and to sustain the whole people in the enjoyment of their liberty and equality.*

Titles to property are acquired in this State either by purchase or by descent. The mode of transferring estates is prescribed by legal enactments, passed in conformity to the provisions of our constitution. To the owner is given, under our laws, the rightful control of all property to which he may be entitled. In no possible way can he be divested of that control without his consent, except when public necessity shall interpose. Whenever a case shall occur, that for the public use the private property of individuals must be surrendered, then such a surrender will be sustained, not only by the language of the constitution itself, but by the nature and fitness of things. The very existence of political communities renders indispensable the exercise of such a power, and such a power being vested in the Legislature, may by them be delegated by law, and in this way only can private property be taken and appropriated, without the owner's consent. We hold our estates subject to the demands of the public for their exclusive use. We hold them above and beyond the control of others. The property of an individual, in pursuance of the provisions of law, may be taken and appropriated for the debts of that individual. It is merely applying personal means to meet personal liabilities.

But it would be regarded as abhorrent to every principle of common justice and opposed to every principle of constitutional law, to contend that the property of one individual could be seized and applied for the satisfaction of the debts of another; and yet there is not the slightest difference, in principle, in giving authority to take the property of an individual, without

his consent, to pay the debts of his neighbor, or to take that property and give to that same neighbor to promote his convenience or to increase his substance. It is nothing more and nothing less than taking individual property, against the will of its owner, for private use. I cannot fail, without a violation of the oath, I have just taken to support the constitution, to carry out in practice what I have not hesitated to advance in theory—that the surrender of private property, without consent, except for public use, cannot be required. This great principle is coexistent with our government. The sober sense of our community can never be confounded with the unmeaning jargon that public use is attained by private accommodation and the protection of private interests. The true difference between public and private use could not be more perfectly illustrated, than by contrasting our highways constructed by public means, sustained at public charge and exclusively dedicated to public benefit, with those constructed by private appropriations, preserved by private expenditures and dedicated to private interest. The one class is exclusively within the control of the public; the other is as exclusively within the control of individuals. The one is a public, the other a private concern.

The acquisition, possession and protection of property is one of the essential and inherent rights of man, and on entering into a state of society he must surrender, to some extent, this natural right to that society, in order to insure the protection of others. For the construction of our public highways, private property of necessity must be taken and thus appropriated, even without the consent of the owner, if a just compensation shall be made. Legislatures can provide for the construction of all such ways. The power is expressly conferred by our own constitution, and confirmed by that of the United States. But no such principle can be made applicable to private ways, constructed by individuals or by artificial persons for private purposes. Estates are not held here by so uncertain a tenure. Property cannot be put away from the control of its owner, against his will, when required for purposes of individual speculation, when wanted to accomplish private ends, or when necessary to advance private interests.—Such objects can only be attained by negotiation and contract. Mind must meet mind, when the possessions of one may be needed to carry out the operations of another. A contrary doctrine would place the estates of men beyond the control of their owners—give to wealth the power of applying the means of others to the accomplishment of its own ends; of converting the soil of the husbandmen, without his consent, into canals and railroads,

and of thus subjecting the homes of the poor to the claims of the rich. The exercise of any such power would be wholly unwarranted by and opposed to the very first principles of our government. There is no compromising, no giving up of this principle. If the views expressed are right and constitutional, then the principle will be maintained unimpaired, so long as our institutions shall continue. The Legislature can in no instance delegate a power which they do not enjoy. It cannot rightfully presume to exercise an authority over the private property of the citizen, which is not warranted by the terms of the constitution. It would be most dangerous and alarming to enlarge the express grants of power by construction, or control them by considerations of expediency. I have before said, if such a power exists in the representative body of the people to give authority to appropriate the property of individuals, without their consent, to the use of private corporations, equally constitutional would it be to confer the same power for the use of the corporators. There is not a shadow of difference in principle. Nor does the constitutional exercise of such a power, for private purposes, depend on the degree of public use. The abstract power, if possessed, might with as much propriety be conferred upon the owner of a waterfall, to construct a dam and flow the lands above, in order to erect a mill demanded by the convenience of a neighborhood, as to construct a railroad for the accommodation of other portions of the community. There is no half-way house, no middle ground. The first section of the act contained in chapter 142 of the Revised Statutes, passed before I came into office and approved by my immediate predecessor, contains a provision worthy of the head and heart of the representative body of the people, which gave it a place among our statutory enactments. It contains, in my judgment, the true constitutional doctrine upon the rights and powers of private corporations over the property of individuals. This valuable reform in our legislation, gives the desired protection to the property of individuals against all encroachments of irresponsible corporate power.

In the course of this session applications may be made to you for the renewal of existing bank charters and for the incorporation of other private companies. It is not within my province to prescribe the details to be embraced in the charters for any such incorporations. If the general acts are not as they should be, it is for you to make the alterations required, and it would illy accord with the Executive to differ with the Legislative branches of the government in the details of a measure which do not in effect violate our constitution. The principle of individual lia-

bility for the debts of private corporations will not, I trust, be yielded ; and while it should be faithfully preserved by the future legislation of the State, we should be careful in our engagedness for the maintenance of this principle, that we do no wrong to these private corporations, by restricting too much the powers of the corporators. Equal and exact justice should be the end and aim of public legislation.

From the last annual report made by the Bank Commissioners of Ohio, I subjoin the following extract as containing sound and correct doctrine upon the subject of banking :

"In the organization and management of banks, the control over their discounts and the decision as to what persons or classes of persons shall be accommodated, the people have no more direction, than in the affairs of private individuals. The accruing profits, instead of being kept as a fund to discharge the debts of the corporation or to meet its losses, are semi-annually divided among the stockholders, and thereafter become private property, beyond the reach of an execution against the bank. And here is the distinction between a natural person and a corporation. The natural person retains his accumulated profits and they become a part of his property, and are liable at all times for the payment of his debts; but the corporate body, instead of retaining its profits to pay its debts or to meet any losses that may occur, divides them among the stockholders. Individual liability, instead of dividing the profits among the stockholders and the losses among the people, proposes to divide the losses as well as the profits among the persons composing the body corporate. The history of the past has proved that frequent and heavy losses have occurred from bank failures. This loss must fall upon one of two classes of men, the bankers or the bill holders. If the management devolves exclusively on one party and the profits also enure to the same, it is clearly right to fix the responsibility on that party having both the control and the profit."

The Legislature will constantly bear in mind that their first and last object, should be to provide for the perfect security of the public against every possible loss by reason of the conduct of private corporations. It is immaterial in what way this object shall be accomplished, if it be but attained. The maximum of the capitals to be held by banking companies, the provisions and the details for their government and for the security of the public, are properly and exclusively within your province. With those matters I do not propose to interfere.

If it be policy to increase banking or any other private corporations, it would be but an act of justice that the security to the

public should be made with as much convenience to the corporations as practicable. Various modes have occurred to me, each looking to the same object, and I dare presume that your own reflections will finally lead to the adoption of some general plan which will give entire protection to the public, without imposing such unnecessary restraints as will lead private corporations to surrender their charters. The incorporation of a bank is a power which should be exercised with great caution. To all such artificial persons, you give the right to create for the public a paper circulating medium, which ever has been and ever will be taken as money by the people. It is not to be denied that to banking companies, uncontrolled and irresponsible, and conducted as they have been, is committed the power of fixing the value of the entire property of the country. When they expand their circulation, property rises. When they contract, it sinks. "If a great expansion of the currency of the country creates high prices, high wages and over-trading, it is self evident that a great contraction of the currency will produce exactly the opposite effects—low prices, low wages and little trading." The abundance of paper money gives an inflated value to products, which is taken away when new discounts are refused and payments required.

"The constant tendency of banks has been to lend too much, and to put too many notes in circulation." It was once well said by a distinguished peer of England, that "if the Americans went into the funding system of England, and adopted their projects of unsubstantial paper money, their boasted independence would prove to be the merest phantom." How literally has this prediction been verified by the history of past events!

Much has already been accomplished by the stern and inflexible democracy of New Hampshire, in promoting the cause of equal rights and in sustaining the demands of just and constitutional privileges. Let us steadfastly maintain the positions we have assumed. True it is, that the history of our own State, for the last half century, has not seemed to require a full and explicit exposition of those great principles which are now deemed as essentially connected with human rights. Such has been the even tenor of our way, such has been the course of past events, that there has not occurred any such conflict in the application of those constitutional provisions, as necessarily to call forth, until recently, any general discussion of the subject. But the diversified concerns of man have in more modern time raised the direct questions: What are the rights and privileges of the citizen as guaranteed by the constitution?—and what powers have public and private corporations over those individual rights?

These momentous considerations have been within the few last years addressed to the intelligence and patriotism of our State. The sovereign power has responded, and our course should be onward. *We cannot recede. The people's will should be the agent's guide.*

We cannot fail to love our own country, "its soil, its equality, liberty, laws and manners." It was once said by Mr. Jefferson, —"How little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy." They should realize "how much it is their interest to preserve uninfected by contagion, those peculiarities in their government and manners to which they are indebted for those blessings." Political liberty and equality are the boasted boons of our people. They belong to us, and these pure principles will continue to warm the current of our feelings and rivet the affections of our hearts to our State and government.

At the close of the present political year, I shall have filled the office of Chief Executive Magistrate for that period of time, which cannot fail to admonish me of the propriety of *then* yielding my place to another, and of returning to my constituents with an account of my public stewardship. Entertaining these sentiments, and aware that the time is at hand, when according to long usage, a candidate for this office, for the year next succeeding the present, will be put in nomination; and while I shall ever hold in grateful remembrance the distinguished honors which have been conferred upon me; I desire distinctly to announce to my fellow citizens, that I must decline being considered among the number of those from whom a selection will have to be made.

It will be perceived that in this, my last address to the legislature, I have not recommended any alteration in our present system of laws. My suggestions have been of a very general character, but it is to be hoped that they will be found neither inappropriate nor unprofitable in their influence upon the future legislation of the State.

We owe it to ourselves, as well as to our constituents, to give evidence of our devotion to their interests by practising a judicious economy. We should pursue with diligence whatever shall be necessary to be done.

It becomes us who occupy for a time these responsible places, to exert for the people our best efforts and all our habits of industry, while employed in the public service. Time is money, and we should strive to continue this session no longer than shall be necessary for the transaction of the public business. Let us exhibit an example worthy of imitation; give precepts worthy of

ourselves ; show forth our steadfast zeal in the cause of human rights and our untiring devotion to the cause of human liberty. And be assured that I shall be ready, at all times and on all occasions while in office, to co-operate with you in the adoption of any constitutional measure promotive of the interests and happiness of the people.

**HENRY HUBBARD.**

Executive Chamber, June 8th, 1843.

One copy of the foregoing address was then presented by His Excellency to the President of the Senate and one copy to the Speaker of the House.

His Excellency the Governor and the Honorable Council then withdrew

On motion of Mr. Smith of the Senate—

The Convention rose and the Senate returned to their chamber.

#### IN SENATE.

On motion of Mr. Warner—

The Senate adjourned.

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#### AFTERNOON.

On motion of Mr. Colby—

The Senate adjourned.

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**FRIDAY, JUNE 9, 1843.**

Mr. Colby moved that the Clerk be directed to procure the printing of two hundred copies of the Governors' address for the use of the Senate.

And the question being put,

It was decided in the affirmative.

A message was received from His Excellency the Governor by Mr. Stevens, Secretary of State :

*" To the Honorable Senate and House of Representatives :*

I herewith transmit the annual report of the Warden of the State Prison, giving a statement of the receipts and expenditures at that institution for the year ending April 30th, 1843, accompanied with communications from the Physician and Chaplain of the Prison.

HENRY HUBBARD.

Council Chamber, June 8th, 1843."

The foregoing message having been read, was,  
On motion of Mr. Smith—  
Laid upon the table.

A message from the House of Representatives by their Clerk:

" Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Hoskins—

*Resolved*, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

# IN CONVENTION.

The Senate and House of Representatives being assembled in Convention for the purpose of proceeding in the elections—

On motion of Mr. Colby of the Senate—

The Convention proceeded to choose by ballot a Senator for District No. 4, from the two highest candidates.

|                        |     |
|------------------------|-----|
| Whole number of votes  | 223 |
| Necessary for a choice | 112 |
| James Batcheller has   | 2   |
| Jeremiah Kingman has   | 3   |
| James Cochran has      | 61  |
| Isaac Hale has         | 157 |

and is elected.

The Convention then proceeded in like manner to the choice of Senator from District No. 5.

|                         |     |
|-------------------------|-----|
| Whole number of votes   | 222 |
| Necessary for a choice  | 112 |
| Charles Dennett has     | 2   |
| Andrew Pierce has       | 1   |
| Jeremiah Kingman has    | 71  |
| Andrew Pierce, Jr., has | 148 |

and is elected.

The Convention proceeded to the election of a Senator from District No. 9 in like manner.

|                        |     |
|------------------------|-----|
| Whole number of votes  | 231 |
| Necessary for a choice | 116 |
| James Batcheller has   | 74  |
| Elijah Carpenter has   | 157 |

and is elected.

On motion of Mr. Colby of the Senate—

The Secretary of State was directed to notify Hon. Isaac Hale of his election as Senator from District No. 4, Hon. Andrew Pierce, Jr., of his election as Senator from District No. 5 and Hon. Elijah Carpenter of his election as Senator from District No. 9.

On motion of Mr. Hibbard of the House—

The Convention proceeded to open, read and record the returns of votes for Counsellors in the several Counsellor Districts in this State and completed the same.

Mr. Smith of the Senate moved that a select committee be appointed to receive the returns of votes for Counsellors, count and cast their numbers and report thereon to the Convention.

On the question being put,

It was decided in the affirmative.

*Ordered*, That Messrs. Smith of the Senate, Curtice of Danbury and Stevens of Middleton of the House constitute said committee.

On motion of Mr. Warner of the Senate—

The Convention rose and the Senate withdrew to their chamber.

#### IN SENATE.

On motion of Mr. Hoskins—

The Senate adjourned.

## AFTERNOON.

Honorable Isaac Hale having been elected in Convention, Senator from District No. 4, and having been duly qualified, appeared and took his seat.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have appointed Messrs. Peirce of Dover, Foss and Thompson a committee on the part of the House, with such as the Senate may join, to prepare and report joint rules for the government of the two Houses the present session, in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Warner—

The Senate concurred.

*Ordered*, That Mr. Hale be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Smith—

The Clerk was directed to procure the printing of fifty copies of the report of the Warden of the State Prison and the accompanying documents for the use of the Senate.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have appointed Messrs. Durgin, Daniell and Barker a committee on the part of the House, with such as the Senate may join, to assign committee rooms to the several standing committees, in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Hoskins—

The Senate concurred.

*Ordered*, That Mr. Warner be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Colby—

The Senate adjourned.

SATURDAY JUNE 10, 1843.

A message was received from the House of Representatives' by Mr. Colby, one of the committee for that purpose, giving information that prayers will be offered up in the Representatives Hall, daily, at a quarter before ten o'clock and inviting the Senate to attend.

Mr. Warner, from the joint select committee appointed to assign committee rooms to the several standing committees, reported the following joint resolution :

*Resolved by the Senate and House of Representatives, That committee rooms numbered 6, 7 and 8 be occupied by the committees of the Senate, and the following rooms by the committees of the House of Representatives :*

No. 1, by the committees on Elections and Banks.

No. 2, by the committees on Incorporations and the Alteration of Names.

No. 3, by the committees on Agriculture, Manufactures and on Finance.

No. 4, by the committees on Roads, Bridges and Canals and on Public Lands.

No. 5, by the committees on Claims and Printers' Accounts.

No. 9, by the committees on Unfinished Business, on Bills on their second reading and on the State Prison.

No. 10, by the committee on the Judiciary.

No. 11, by the committees on Military Affairs and on Military Accounts.

No. 12, by the committees on Education and on the Library.

No. 13, by the committees on Towns and Parishes and by the select committees.

No. 6, by the joint committee on Engressed Bills.

No. 8, by the committee on the State House and State House Yard.

On the question,

Shall the resolution pass ?

It was decided in the affirmative.

*Ordered, That the Clerk notify the House of Representatives accordingly.*

On motion of Mr. Hoskins—

*Resolved, That when the Senate adjourn it adjourn to meet again on Monday next at three o'clock in the afternoon.*

A message from the House of Representatives by their Clerk :

**“Mr. President—**The House of Representatives have appointed Messrs. Sturtevant, Brown of Sandbornton and Burnham a committee on the part of the House, with such as the Senate may join, to procure three hundred printed copies of the rules of the House and the joint rules of the two Houses, the constitution of the United States, the constitution of the State of New Hampshire, the names of the several members of the Legislature and its officers, together with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Warner—

**Resolved,** That the Senate concur with the House of Representatives in the appointment of a joint select committee to procure three hundred printed copies of the rules of the House, the joint rules of the two Houses, the Constitution of the United States and of the State, with the names of the several members and officers of the Legislature.

**Ordered,** That Mr. Swett be joined to said committee on the part of the Senate.

**Ordered,** That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

**“Mr. President—**The House of Representatives have passed the resolution, reported by the joint select committee, assigning rooms to the several standing committees of the Legislature.”

A message from the House of Representatives by their Clerk :

**“Mr. President—**The House of Representatives are ready to meet the Honorable Senate in convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Hoskins—

**Resolved,** That the Senate now meet the House of Representatives in convention for the purpose of proceeding in the elections.

## IN CONVENTION.

The Senate and House of Representatives, being assembled

in the Representatives' Hall, for the purpose of proceeding in the elections—

Mr. Smith, from the select committee appointed to receive the returns of votes for Counsellors, count and cast their numbers, and report to the convention, made the following

### REPORT.

|  |      |
|--|------|
| In District No. 1, the whole number of votes returned is | 9423 |
| Necessary for a choice,                                  | 4717 |
| Estimated as scattering,                                 | 173  |
| Noah Piper has   | 737  |
| James B. Creighton has                                   | 1657 |
| William Choate has                                       | 2675 |
| Elijah R. Currier has                                    | 4181 |

No person having the requisite number of votes, there is no choice. Elijah R. Currier and William Choate are the two highest candidates.

|  |      |
|--|------|
| In District No. 2, the whole number of votes returned is | 8366 |
| Necessary for a choice.                                  | 4184 |
| Estimated as scattering,                                 | 35   |
| Josiah Dearborn has                                      | 700  |
| Jeremiah Wilson has                                      | 2008 |
| Samuel G. Berry has                                      | 5623 |

and is elected.

|  |       |
|--|-------|
| In District No. 3, the whole number of votes returned is | 10039 |
| Necessary for a choice,                                  | 5020  |
| Estimated as scattering,                                 | 245   |
| Frederick G. Stark has                                   | 746   |
| Jesse Woodbury has                                       | 946   |
| Henry B. Chase has                                       | 2578  |
| James M'K. Wilkins has                                   | 5524  |

and is elected.

|  |      |
|--|------|
| In District No. 4, the whole number of votes returned is | 7891 |
| Necessary for a choice,                                  | 3946 |
| Estimated as scattering,                                 | 3    |
| Alvah Smith has  | 3865 |
| Francis Holbrook has                                     | 4023 |

and is elected.

|  |      |
|--|------|
| In District No. 5, the whole number of votes returned is | 7046 |
| Necessary for a choice,                                  | 3524 |

|                          |      |
|--------------------------|------|
| Estimated as scattering, | 28   |
| Moses Webster has        | 233  |
| Levi Parker has          | 826  |
| Ira Young has            | 2403 |
| James H. Johnson has     | 3856 |
| and is elected.          |      |

Which report having been read,

On motion of Mr. Hoskins, of the Senate—

*Resolved*, That the same be accepted.

On motion of Mr. Hoskins, of the Senate—

The convention proceeded by ballot to the choice of Counsellor, from the two highest candidates, to fill the vacancy existing in Counsellor District No. 1.

|                             |     |
|-----------------------------|-----|
| Whole number of votes cast, | 201 |
|-----------------------------|-----|

|                         |     |
|-------------------------|-----|
| Necessary for a choice, | 102 |
|-------------------------|-----|

|                    |    |
|--------------------|----|
| William Choate has | 51 |
|--------------------|----|

|                       |     |
|-----------------------|-----|
| Elijah R. Currier has | 150 |
|-----------------------|-----|

and is elected.

On motion of Mr. Durgin, of the House—

The convention rose and the Senate returned to their chamber.

### IN SENATE.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. Durgin, Clarke of Atkinson and Tudor, a committee, with such as the Senate may join, to wait on His Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, namely :

From District No. 1, Elijah R. Currier;

“ “ No. 2, Samuel G. Berry;

“ “ No. 3, James M’K. Wilkinz;

“ “ No. 4, Francis Holbrook ;

“ “ No. 5, James H. Johnson;

in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Hoskins—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a joint committee to wait on His

Excellency the Governor, and inform him of the election of Counsellors.

*Ordered*, That Mr. Hoskins be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Smith, from the select committee to report rules and regulations for the government of the Senate the present year, reported for consideration the following :

### RULES OF THE SENATE.

1. The President having taken the chair, and a quorum being present, the journals of the preceding day shall be read, and any erroneous entry shall be corrected.

2. No member shall hold conversation with another during the reading of the journals or while a member is speaking in debate.

3. Every member rising to speak shall address the President, and when he has finished shall sit down.

4. No member shall speak more than twice on the same question on the same day, without leave of the Senate.

5. More than one member rising to speak at the same time, the President shall decide who shall speak first.

6. If any member transgress the rules of the Senate, the President shall, or any member may, call him to order, in which case the member so called to order shall sit down, and the Senate, if appealed to, shall decide in the case, but if there be no appeal, the decision of the President shall be conclusive.

7. No member shall absent himself without permission from the Senate.

8. A motion shall be seconded before it is debated, and if required by the President, or any member, it shall be reduced to writing.

9. When a question is under debate, no motion shall be received, but to adjourn, to postpone indefinitely, to lie on the table, to postpone to a certain day, to commit or to amend, which several motions shall take precedence in the same order in which they are arranged. And no motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or proposition until after an adjournment.

10. If the question under debate will admit of division, any member may have it divided, and in filling blanks, the longest time, and the largest sum shall be put first.

11. When the reading of a paper is called for, and the same is

objected to, it shall be decided by a vote of the Senate, and without debate.

12. When the ayes and noes are required, each member shall declare his assent or dissent to the question, unless for special reasons he be excused by the Senate.

13. When a motion is made to shut the doors of the Senate on the discussion of any business, which in the opinion of any member may require secrecy, the President shall desire the gallery to be closed, and the door shall remain closed until the subject is disposed of.

14. After a motion has been decided, it shall be in order for any member who voted with the majority, or if the Senate be equally divided, any member voting on the side prevailing, to move a reconsideration thereof, unless the bill, resolution, report, amendment or motion on which the vote was taken, has gone from the possession of the Senate: but no motion to reconsider shall be in order unless made the same day on which the vote was taken, or the day next after on which the Senate shall be in session; but no vote shall be reconsidered when a less number of members is present than when it passed.

15. Before any petition or memorial addressed to the Senate, shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

16. At least one day's notice shall be given before a motion for leave to bring in a bill shall be in order.

17. Every bill shall be read three times before its passage; and the President shall give notice at each time, whether it be the first, second or third reading; and no bill after it has been read a second time, shall have a third reading before an adjournment.

18. All resolutions which may require the signature of the Governor, shall be treated in the same manner as bills.

19. When a bill shall have been read a first time and ordered to a second reading, it shall immediately be read a second time by its title, and be by the President referred to the appropriate standing committee, unless otherwise ordered by the Senate.

20. The Senate may resolve itself into a committee of the Whole at any time, on motion made for that purpose, and in forming a committee of the Whole, the President shall leave the chair and appoint a chairman to preside in committee; the President may at any time name any member to perform the duties of the chair; but such substitution shall not extend beyond an adjournment.

21. The last question upon the second reading of a bill or resolution shall always be: shall it be read a third time? and no

amendment shall be received or discussed on the third reading of any bill or resolution, unless by consent of eight members present : but it shall at all times be in order before the final passage of a bill or resolution, to move its commitment, and should such commitment take place, and an amendment be reported, the bill or resolution shall again be read a second time and considered as in committee of the Whole.

22. The titles of bills, and such parts thereof, as may be affected by proposed amendments, shall be entered on the journals.

23. All bills, resolutions and addresses, after passing the Senate, shall be signed by the President ; and all warrants and other processes issued by order of the Senate, shall be under his hand and seal, attested by the clerk.

24. The following standing committees, to consist of three members each, shall be appointed at the commencement of any session, with leave to report by bill or otherwise :—

- A committee on the Judiciary;
- A committee on Incorporations;
- A committee on Military Affairs;
- A committee on Roads, Bridges and Canals; \*
- A committee on Claims;
- A committee on Agriculture and Manufactures;
- A committee on Banks;
- A committee on Elections;
- A committee on Education;
- A committee on Unfinished Business;
- A committee on Printers' Accounts.

25. All committees shall be appointed by the President, unless a member requests that the appointment shall be by ballot, in which case it shall be so done.

26. When the Senate shall concur with the House of Representatives in the appointment of a joint committee consisting of not more than five members of the House, one member shall be added on the part of the Senate; but when more than five, two members of the Senate shall be added.

27. Messages shall be sent to the House of Representatives by the Clerk of the Senate.

28. Messages from the Governor or House of Representatives may be received at all times; except when the Senate is engaged in putting a question, in calling the ayes and noes, in counting ballots, or in reading the journal.

29. All questions shall be put by the President, and each member of the Senate shall signify his assent or dissent by answering aye or no. If the President doubts, or a division be called for,

the Senate shall divide; those in the affirmative of the question shall first rise from their seats and stand till they be counted, and afterwards those in the negative shall rise and stand till they be counted. The President shall then rise and state the decision of the Senate.

30. No person except the members of the Executive, or members of the House of Representatives and their officers, shall be admitted within the bar of the Senate, except by invitation of the President, or some member with his consent.

31. The Senate shall adjourn to meet at ten o'clock in the morning and three o'clock in the afternoon of each day, unless the Senate shall otherwise order.

32. Motions to adjourn shall be decided without debate.

On motion of Mr. Hale—

The reading of the Rules was dispensed with.

On motion of Mr. Morrill—

*Resolved*, That the foregoing rules be adopted for the government of the Senate the present year.

Mr. Hale, from the select committee appointed to prepare and report joint rules for the government of the two branches of the Legislature the present year, reported the following resolution:

*Resolved*, That the joint rules of the last session of the Legislature be adopted for the government of the two Houses the present session.

On the question,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

## JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. When a Convention of the two Houses is to be formed, whether by requirement of the Constitution or by a vote or resolve of the two Houses, a message shall be sent from the House of Representatives to the Senate, giving notice when the House will meet the Senate in Convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be Chairman of the Convention, and shall state the reason for forming the Convention. When the House and Senate are thus formed in Conven-

tion, the rules adopted as the rules of the House, shall be considered the rules of the Convention, so far as they may be deemed applicable, and the Convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons as a sense of propriety in each House may determine to be proper.

3. When a message shall be sent from either House to the other, it shall be announced, at the door of the House to which it may be sent, by the doorkeeper.

4. While bills are on their passage between the two Houses, they shall be under the signature of the Clerk of each House respectively.

5. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that pass both Houses shall be delivered to said committee, be by them engrossed, carefully examined and reported to the respective Houses; and shall be signed, first by the Speaker of the House of Representatives, then by the President of the Senate.

6. There shall be a committee, to consist of three members of the House and one of the Senate, on each of the following subjects, to wit:—

On all matters relative to the State Library, and on all matters relative to the State House and State House Yard.

7. When a bill or resolve, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

8. Each House shall transmit to the other all papers on which any bill or resolve shall be founded.

9. Each House shall transmit to the other all bills which have passed their several stages in the House in which they originated, at least forty-eight hours before the time fixed on for adjournment.

10. After each House shall have adhered to their disagreement, a bill or resolve shall be considered lost.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have adopted the joint rules reported by the joint select committee appointed for that purpose, for the government of the two Houses the present session.”

Mr. Hoskins, from the joint select committee appointed to wait upon His Excellency the Governor and inform him of the

election of Elijah R. Carrier, Samuel G. Berry, James M. K. Wilkins, Francis Holbrook and James H. Johnson, as Counselors for the ensuing political year, reported that they had attended to the duty assigned them.

On motion of Mr. Smith—

The Senate adjourned.

MONDAY, JUNE 12, 1843.

AFTERNOON.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. Bissell, Smith of Bradford and Dow, a committee, with such as the Senate may join, for the purpose of fixing on a day on which the business of the present session may be brought to a close.”

On motion of Mr. Colby—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a committee for fixing on a day on which the business of the present session may be brought to a close.

*Ordered*, That Mr. Hatch be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. Barber, Goodwin and Metcalf, with such as the Senate may join, to audit the accounts of the Treasurer of this State, in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Warner—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a committee to audit the accounts of the Treasurer of this State.

*Ordered*, That Mr. Morrill be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State.

*" To the Senate and House of Representatives:*

I herewith communicate sundry resolutions adopted by the General Assembly of the State of New Jersey upon the subject of the "repudiation of State debts" for your consideration.

HENRY HUBBARD.

Council Chamber, June 10, 1843."

The foregoing message and the accompanying documents having been read—

On motion of Mr. Hatch—

*Resolved*, That the message of His Excellency the Governor, together with the accompanying resolutions, be referred to a select committee of three and that they report thereon.

*Ordered*, That Messrs. Smith, Hale and Swett constitute said committee.

On motion of Mr. Colby—

The Senate adjourned.

TUESDAY, JUNE 13, 1843.

Hon. Andrew Pierce, Jr., having been elected in Convention Senator from District No. 8, and Hon. Elijah Carpenter having been elected in Convention Senator from District No. 9, appeared, were duly qualified and took their seats.

The President of the Senate announced from the Chair the appointment of the following

#### STANDING COMMITTEES :

*On the Judiciary*—Messrs. Colby, Hoskins and Smith.

*On Incorporations*—Messrs. Hoskins, Smith and Colby.

*On Military Affairs*—Messrs. Warner, Colby and Hoskins.

*On Roads, Bridges and Canals*—Messrs. Pierce, Carpenter and Hatch.

*On Claims*—Messrs. Swett, Morrill and Pease.

*On Agriculture and Manufactures*—Messrs. Hatch, Pierce and Morrill.

*On Banks*—Messrs. Smith, Warner and Swett.

*On Elections*—Messrs. Carpenter, Swett and Hale.

*On Education*—Messrs. Morrill, Hatch and Carpenter.

*On Unfinished Business*—Messrs. Hale, Pease and Warner.

*On Printers' Accounts*—Messrs. Pease, Hale and Pierce.

The President of the Senate, from his place, announced the following

#### JOINT STANDING COMMITTEES :

*On Engrossed Bills*—Messrs. Colby and Smith.

*On the State House and State House Yard*—Mr. Warner.

*On the Library*—Mr. Hale.

On motion of Mr. Colby—

*Resolved*, That a committee of three be appointed to take into consideration the annual message of His Excellency the Governor and report what disposition be made of the several subjects embraced therein.

*Ordered*, That Messrs. Colby, Pierce and Carpenter constitute said committee.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State :

*" To the Senate and House of Representatives :*

I herewith transmit for your information a copy of sundry resolutions, adopted by the Legislature of the State of Maine, upon

the subject of "unqualifiedly refunding to General Andrew Jackson the fine imposed upon him by Judge Hall."

HENRY HUBBARD.

Council Chamber, June 10th, 1843,"

On motion of Mr. Smith—

Said message and resolutions were read.

On motion of Mr. Hoskins—

*Resolved*, That the foregoing message of His Excellency the Governor, together with the accompanying resolutions be referred to a select committee of three and that they report thereon.

*Ordered*, That Messrs. Hoskins, Warner and Hale constitute said committee.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State :

*" To the Senate and House of Representatives :*

Under the first resolution adopted by the Legislature, June 23d, 1842, I was authorized, among other things, "to procure and transmit one copy of all the Judicial decisions of the Courts of this State to each of the States of Missouri, Mississippi and Arkansas," and was empowered to draw my warrant on the Treasurer to pay for the same. Under the second resolution, adopted at the same time, "the Secretary of this State was required to procure and transmit to the several States and Territories one copy each, as they may hereafter be reported and published, of the printed Judicial decisions of the Courts of this State." No provision was made to meet the charge of executing this resolution.

In consequence of the passage of these resolutions the Secretary of State has addressed a letter to the Executive Department of each State and of the United States for the purpose of ascertaining whether, and if any, what number of the volumes of the Reports of our Judicial decisions had been received by them respectively. Answers have been received at this Department from the Secretary of State of the United States, and from the States of Maine, Connecticut, Vermont, New York, Delaware, Maryland, North Carolina, Alabama, Arkansas, Mississippi, Illinois, Indiana and Missouri. From these returns it appears that the States of Illinois, North Carolina, Delaware and Arkansas have not received any of our Judicial Reports. The communication of the Deputy Secretary of the State of Delaware gives information "that if there be not a full set of Harrington's (Delaware)

Reports in the State Library of New Hampshire, he will cause one to be forwarded as soon as the fact can be ascertained." The State of Alabama has been furnished only with the first and the fifth volumes of our Reports. The States of Indiana, Vermont and Maryland have each been furnished with six volumes, from No. 1 to No. 6, inclusive. The State of Connecticut has been furnished with volumes from No. 1 to No. 3, inclusive. The State of Missouri from No. 1 to No. 5, inclusive. The State of New York from No. 1 to No. 8, inclusive; and the Library of Congress has been supplied with eight volumes, from No. 1 to No. 8, inclusive. From these facts it has occurred to me that it might be well for the Legislature to reconsider the last resolution, adopted June 23d, 1842, and to provide that authority be given to procure and transmit to each State and Territory, as many volumes of the Reports of our Judicial decisions, so that including what may be on hand, the United States and each State and Territory shall be furnished with one entire set of Reports as far as the same may have been published. It is a well known fact that the decisions contained in one volume are frequently explained and enforced by decisions contained in some previous volume—and in order to give to the respective States the opinions of our Superior Court upon the law as promulgated, it seems to me very necessary that they should be furnished with full sets of our Reports. I have felt it to be my duty to present this subject to your consideration, and I hope it will accord with the judgment of the Legislature so to amend the resolution to which I have already referred, as to furnish to the Library of Congress and to each State and Territory, one copy each of the Judicial decisions which have been, as well as those which may hereafter be published.

HENRY HUBBARD.

Council Chamber, June 13, 1843."

The foregoing message having been read,

On motion of Mr. Colby—

*Resolved*, That the same be referred to the committee on the Judiciary.

On motion of Mr. Warner—

The Senate adjourned.

AFTERNOON.

Mr. Colby, from the select committee, to whom was referred the annual message of His Excellency the Governor, with directions to report what disposition shall be made with the several subjects embraced therein, reported the following resolution :

*Resolved*, That so much of His Excellency's message as relates to common schools and education generally be referred to the committee on Education;

That so much of said message as relates to the militia be referred to the committee on Military Affairs;

That so much of said message as relates to the Asylum for the Insane be referred to a select committee;

That so much of said message as relates to the State Prison be referred to the committee on the State Prison;

That so much of said message as relates to railroads and rights of way be referred to the committee on Roads, Bridges and Canals;

That so much of said message as relates to banks and banking be referred to the committee on Banks;

That so much of said message as relates to the granting of acts of incorporation be referred to the committee on Incorporations.

On the question,

Shall the resolution pass ?

It was decided in the affirmative.

So the resolution passed.

Mr. Colby moved the reconsideration of the vote adopting said resolution.

On the question being put,

It was decided in the affirmative.

So the vote was reconsidered.

Mr. Colby moved to amend said resolution by striking out of that clause relating to the State Prison the words "*to the committee on the State Prison,*" and inserting instead thereof, "*to a select committee.*"

On the question being put,

Shall the amendment be adopted ?

It was decided in the affirmative.

On the question,

Shall the resolution pass as amended ?

It was decided in the affirmative.

So the resolution passed as amended.

Mr. Swett, from the joint select committee for procuring three

hundred printed copies of the Rules of the House, and the joint rules of the two Houses, the Constitution of the United States and of this State, with the names of the several members of both branches of the Legislature and its officers, reported that they had attended to the duty assigned them, and that they have contracted for the printing of the same, which will be ready for distribution to-morrow.

The President of the Senate announced from the chair the following

### SELECT COMMITTEES :

On so much of His Excellency's message as relates to the Insane Asylum—Messrs. Pease, Swett and Hatch.

On so much of said message as relates to the State Prison—Messrs. Warner, Morrill and Carpenter.

A message from His Excellency the Governor, by Mr. Stevens, Secretary of State :

*"To the Senate and House of Representatives :*

I herewith transmit to the Legislature the Reports of the Bank Commissioners, showing the condition of the several Banks in this state at the time of their last examination.

HENRY HUBBARD.

Council Chamber, June 13, 1843."

On motion of Mr. Colby.—

*Resolved*, That the message of His Excellency the Governor, together with the accompanying reports of the Bank Commissioners, be referred to the committee on Banks.

On motion of Mr. Hoskins—

The Senate adjourned.

WEDNESDAY JUNE 14, 1843.

Mr. Hoskins, introduced the following resolution :

*Resolved*, That the committee on the Judiciary be instructed to inquire whether any, and if so, what alterations are necessary to be made in the Probate laws of this State, and report by bill or otherwise.

The foregoing resolution was read.

On the question,  
 Shall the resolution pass?  
 It was decided in the affirmative.

A message from His Excellency the Governor, by the Secretary of State:

*"To the Senate and House of Representatives :*

On the 28th of March last a suit was commenced against Gordon Burley on a claim in favor of the State, against him, growing out of his contract for the employment and service of the convicts in the State Prison. This action has been submitted to an auditor, but the nature and extent of the claims brought into controversy, seem to render it necessary that the matter should be finally tried and determined by a board of arbitrators, in preference to a trial by a jury. Desirous of bringing this action to a close, I have had a conference with Mr. Burley, and he assents that arbitrators may be selected to adjust the matters in dispute. I have also had a conversation with one of the attorneys employed by the State, and he not only assents, but recommends that such arrangement be made. I would therefore suggest to the Legislature the propriety of passing a resolution, giving authority to some person to conclude such an agreement with Mr. Burley as will lead to a speedy adjustment of the claims in controversy between him and the State. I feel authorized in saying that the bondsmen of Mr. Burley have signified their assent to such an arrangement, and will not hesitate to abide by the award of the arbitrators in the case. The subjoined statement has been furnished me by the Attorneys for the State.

HENRY HUBBARD.

Council Chamber, June 14, 1843."

The foregoing message of His Excellency the Governor, and the subjoined statement having been read,

On motion of Mr. Colby—

*Resolved*, That the same be referred to the select committee on the State Prison.

Mr. Carpenter presented the petition of Samuel Beal and others, for the removal of a Justice of the Peace.

On motion of Mr. Warner—

The same was referred to the committee on the Judiciary.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives are now ready to meet the Honorable Senate in convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Hale—

*Resolved*, That the Senate now meet the House of Representatives in convention for the purpose of proceeding in the elections.

### IN CONVENTION.

The Senate and House of Representatives, being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the Constitution;

On motion of Mr. Colby of the Senate—

The Convention proceeded by ballot to the choice of a Secretary of State for the ensuing political year.

|                            |     |
|----------------------------|-----|
| Whole number of votes cast | 229 |
| Necessary for a choice     | 115 |
| Andrew Pierce has          | 1   |
| Woodbridge Odlin has       | 1   |
| Isaac Hill has             | 1   |
| George Ela has             | 1   |
| Ira A. Eastman has         | 2   |
| John L. Hadley has         | 2   |
| John Town has              | 7   |
| Josiah Stevens, Jr. has    | 14  |
| Isaac Sturtevant has       | 67  |
| Thomas P. Treadwell has    | 133 |
| and is elected.            |     |

On motion of Mr. Pease, of the Senate—

The convention proceeded by ballot to the choice of a State Treasurer for the ensuing year :

|                             |     |
|-----------------------------|-----|
| Whole number of votes cast, | 235 |
| Necessary for a choice,     | 118 |
| Zenas Clement has           | 1   |
| Simon Colby has             | 1   |
| Isaac Spaulding has         | 1   |
| Thomas P. Treadwell has     | 1   |
| Elijah Carrier has          | 1   |

|                       |     |
|-----------------------|-----|
| John Town has         | 2   |
| Sampson B. Lord has   | 2   |
| Samuel G. Berry has   | 7   |
| Bartholomew Smith has | 15  |
| Robert Kimball has    | 60  |
| John Atwood has       | 144 |
| and is elected.       |     |

On motion of Mr. Hale, of the Senate—

The Convention proceeded by ballot to choose a Commissary General for the ensuing political year.

|                            |     |
|----------------------------|-----|
| Whole number of votes cast | 234 |
| Necessary for a choice     | 118 |
| Andrew Pierce has          | 1   |
| Carroll & Baker have       | 1   |
| John Rymes has             | 2   |
| William Rymes has          | 90  |
| Sampson B. Lord has        | 140 |
| and is elected.            |     |

On motion of Mr. Peirce, of the House—

The convention rose and the Senate withdrew to their chamber.

#### IN SENATE.

On motion of Mr. Pease—

The Senate adjourned.

#### AFTERNOON.

A message from His Excellency the Governor, by Mr. Stevens, Secretary of State :

*"To the Senate and House of Representatives :*

I herewith communicate certain resolutions, adopted by the Legislature of the State of Maine "relating to the imprisonment of citizens of our State in other States."

HENRY HUBBARD.

Council Chamber, June 14, 1843."

The foregoing message and accompanying documents, having been read,

On motion of Mr. Hoskins—

*Ordered*, That they lie on the table.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State :

*"To the Honorable Senate and House of Representatives :*

I herewith communicate certain resolutions, adopted by the legislature of Massachusetts concerning an amendment of the Constitution of the United States.

HENRY HUBBARD.

Council Chamber, June 14th, 1843."

Said message and resolutions having been read,

On motion of Mr. Hatch—

*Resolved*, That the foregoing message and the accompanying documents be referred to the committee on the Judiciary.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State :

*"To the Senate and House of Representatives:*

I herewith transmit to the Legislature the Report of the Commissioners of the Literary Fund.

HENRY HUBBARD.

Council Chamber, June 14th, 1843."

On motion of Mr. Colby—

The foregoing message of His Excellency the Governor and the accompanying Report were referred to the committee on Education.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention, for the purpose of proceeding in the elections agreeably to the laws of this State."

On motion of Mr. Smith—

*Resolved*, That the Senate now meet the House of Represen-

tatives in Convention for the purpose of proceeding in the elections.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention for the purpose of proceeding in the elections agreeably to the laws of the State,

On motion of Mr. Colby of the Senate—

The Convention proceeded by ballot to choose a State Printer for the ensuing political year:

|                            |     |
|----------------------------|-----|
| Whole number of votes cast | 203 |
| Necessary for a choice     | 102 |
| Dudley Leavitt has         | 1   |
| Isaac Hill has             | 1   |
| Carleton & Harvey have     | 1   |
| J. & J. W. Prentiss have   | 1   |
| William Rymes has          | 1   |
| Isaiah Thomas has          | 1   |
| William Burr has           | 1   |
| Dudley Palmer has          | 1   |
| John Prentiss has          | 1   |
| John Caldwell has          | 1   |
| Isaac Sturtevant has       | 2   |
| Isaac Hill & Sons have     | 3   |
| Dudley S. Palmer has       | 4   |
| Ela, Blodgett & West have  | 4   |
| Charles W. Brewster has    | 7   |
| George Wadleigh has        | 9   |
| Asa McFarland has          | 20  |
| Carroll & Baker have       | 144 |

and are elected.

On motion of Mr. Hoskins of the Senate—

The Convention rose and the Senate returned to their chamber.

### IN SENATE.

On motion of Mr. Hale—

The Senate adjourned.

## THURSDAY, JUNE 15, 1843.

Mr. Colby, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor in relation to the Judicial Reports of this State, reported a resolution, instructing the Secretary of State to furnish the Secretary of State of the United States and the several States and Territories of this Union with the Judicial decisions of this State.

Which was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Hale, from the committee on Unfinished Business, to whom was referred the petition of John Brown and others, reported the following resolution.

*Resolved*, That the petitioners have leave to withdraw their petition.

Which was read.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Hoskins, from the select committee, to whom was referred the message of His Excellency the Governor, transmitting certain resolutions of the State of Maine in relation to the fine imposed on General Andrew Jackson, made a report,

Which was read.

On motion of Mr. Hoskins—

It was laid on the table.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. Downing, Barker and Wood a committee, with such as the Senate may join, to wait on the Secretary, Treasurer, Commissary General and Public Printers, elect, and inform them of their election to their respective offices, and if they accept, to receive of them the bonds required by law, and lay the same before the Convention.”

On motion of Mr. Colby—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify the Secretary, Treasurer, Commissary General and State Printers, elect, of their election, and if they accept the several offices to which they have been elected, to receive of them the customary bonds, and lay them before the Convention.

*Ordered*, That Mr. Carpenter be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill entitled, "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes," in which they ask the concurrence of the Honorable Senate."

Said resolution was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Hoskins—

The report of the select committee, to whom was referred the message of His Excellency the Governor, together with "certain resolutions of the State of Maine in relation to the fine imposed on Gen. Andrew Jackson by Judge Hall," was taken up and re-committed to the same committee.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a resolution in favor of William Rymes, in which they ask the concurrence of the Honorable Senate."

Said resolution was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

On motion of Mr. Hale—

The Senate adjourned.

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#### AFTERNOON.

The Senate proceeded to the order of the day on the resolution in relation to furnishing the Secretary of State of the United

States and the several States and Territories of this Union with the Judicial Reports of this State;

Which was read a third time.

*Resolved*, That said resolution pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Hoskins, from the select committee, to whom was referred the message of His Excellency the Governor with sundry resolutions of the State of Maine, upon the subject of "unqualifiedly refunding to General Andrew Jackson the fine imposed on him by Judge Hall," reported resolutions approving the same, and instructing our Senators and requesting our Representatives in Congress to use their best exertions to procure the passage of a law, unconditionally refunding said fine, together with the costs and the interest thereon;

Which were read.

*Resolved*, That they pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Swett, from the committee on Claims, to whom was referred the resolution in favor of William Rymes, reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Warner—

*Resolved*, That the Rules of the Senate be so far suspended, that the resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Colby—

The Senate adjourned.

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FRIDAY, JUNE 16, 1843.

Mr. Colby, from the committee on the Judiciary, to whom was referred the petition of Samuel Beal and others, for the re-

moval of a Justice of the Peace, reported the following resolution:

*Resolved*, That the petitioners have leave to withdraw their petition;

Which was read.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Hale, from the committee on Unfinished Business, to whom was referred the resolution, in favor of an appropriation for the repair of the apparatus of the fieldpiece and carriage belonging to the 30th Regiment, reported the following resolution;

*Resolved*, That said resolution be referred to the committee on Military Affairs.

On the question being put,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was referred the bill from the House entitled "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Hale, from the standing committee on Unfinished Business, to whom was referred the bill entitled, "An act to prolong the charter of the president, directors and company of the Portsmouth Bank," reported the following resolution:

*Resolved*, That the further consideration of the subject be referred to the committee on Banks;

Which was read.

Mr. Hatch moved to amend said resolution by striking therefrom the words, "the further consideration of the subject be referred to the committee on Banks," and inserting instead thereof, "the petitioners have leave to withdraw their petition;"

Which amendment was adopted.

On the question,

Shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed as amended.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill entitled, "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire."

The House have passed a resolution, authorizing and directing the interchange of the Judicial Reports of this State with the government of the United States and of the several States of this Union not already supplied, and making an appropriation therefor, in which they ask the concurrence of the Honorable Senate."

The foregoing bill sent up from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing resolution sent up from the House in relation to transmitting the Judicial Reports of this State to the United States and to the several States and Territories of the Union,

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Hatch—

The Senate adjourned.

## AFTERNOON.

The Senate proceeded to the order of the day on the bill received from the House, entitled "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes,"

Which was read a third time.

*Resolved*, That it pass, and that its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred so much of the address of His Excellency the Governor as relates to Incorporations, made a report;

Whereupon—

*Resolved*, That the standing committee on Incorporations be discharged from the further consideration of that part of the address of His Excellency the Governor which relates to incorporations.

A message was received from the House of Representatives,

giving information that the Speaker of that body had signed a resolution in favor of William Rymes, which was reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay it before the Senate for the signature of the President.

Thereupon, the President of the Senate signed said resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the committee on Engrossed Bills, reported that they had presented a resolution in favor of William Rymes, by them reported as correctly engrossed, to His Excellency the Governor for his examination and approval.

Mr. Warner, from the select committee on the State Prison, to whom was referred the message of His Excellency the Governor in relation to the appointment of an agent on the part of the State to make arrangements for submitting the action of the "States vs. Gordon Burley" to arbitrators, reported a resolution authorizing His Excellency the Governor to appoint an agent for that purpose;

Which was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow morning at ten o'clock.

On motion of Mr. Hoskins—

The Senate adjourned.

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## SATURDAY, JUNE 17, 1843.

Mr. Hale, from the joint committee on the Library, reported a resolution appointing Jacob C. Carter, Librarian for the ensuing year;

Which was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the committee on the Judiciary, to whom was referred the resolution sent up from the House of Representatives, authorizing and directing the interchange of the Judicial Re-

ports of this State with the government of the United States and the several States and Territories of this Union, reported the same with the following amendment:

"Strike out all of said resolution after the word appropriated, in the twelfth line."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the committee on the Judiciary, to whom was referred the bill sent up from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

The Senate proceeded to the order of the day on the resolution, authorizing His Excellency the Governor to appoint an agent to conclude by arbitration the case "State vs. Gordon Burley;"

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of the report and resolutions in relation to the fine imposed upon General Andrew Jackson by Judge Hall."

On motion of Mr. Hoskins—

*Resolved*, That when the Senate adjourn this forenoon it adjourn to meet again on Monday next at three o'clock in the afternoon.

Mr. Warner, from the committee on Military Affairs, to whom

was referred the resolution in favor of the Artillery company in the 30th Regiment, made a report;

Whereupon—

*Resolved*, That the same be indefinitely postponed.

On motion of Mr. Smith—

The Senate adjourned.

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MONDAY, JUNE 19, 1843.

The Senate proceeded to the order of the day on the resolution appointing Jacob C. Carter Librarian for the ensuing year;

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill, sent up from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire;"

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on a resolution, sent up from the House of Representatives, authorizing and directing the interchange of the Judicial Reports of this State with the government of the United States and the several States and Territories of this Union;"

Which was read a third time as amended.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had examined certain resolutions relating to the fine imposed upon Gen. Andrew Jackson by Judge Hall, and find the same correctly engrossed.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State :

*“To the Senate and House of Representatives:*

I herewith transmit to the Legislature a communication from the Board of Visitors of the New Hampshire Asylum for the Insane, accompanied by a report from the Trustees and also by a report made to them from the Superintendent of the institution.

HENRY HUBBARD..

Council Chamber, June 19, 1843.”

Which was read.

On motion of Mr. Colby—

*Resolved*, That the Clerk be directed to procure fifty printed copies of the foregoing message and the accompanying documents for the use of the Senate.

A message from the House of Representatives by their Clerk :

“Mr. President—The Speaker of the House of Representatives has signed the report and resolutions in relation to the fine imposed on Gen. Andrew Jackson by Judge Hall, and a bill, entitled “An act in amendment of the one hundred eighty-fifth chapter of the Revised Statutes,” reported as correctly engrossed by the committee on Engrossed Bills.”

Thereupon the President of the Senate signed said resolutions and bill, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid report and resolutions in relation to the fine imposed on Gen. Andrew Jackson by Judge Hall, and the bill, entitled “An act in amendment of the 185th chapter of the Revised Statutes” to His Excellency the Governor for his approval and signature.

On motion of Mr. Colby—

The Senate adjourned.

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TUESDAY, JUNE 20, 1843.

Mr. Hale, from the standing committee on Unfinished Business, to whom was referred a resolution in relation to the Connecticut River Bank, made a report;

Whereupon—

*Resolved*, That the same be referred to the committee on Banks.

Mr. Hatch, from the joint select committee to whom was referred the resolution fixing on a day when the business of the present session of the Legislature may be brought to a close, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the business of the present session be brought to a close on Wednesday the 28th day of June instant;

Which was read.

On motion of Mr. Warner—

It was laid on the table.

Mr. Hoskins, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire whether any, and if so, what alterations are necessary to be made in the probate laws of this State, reported a bill, entitled “An act in amendment of chapter 150 and in addition to chapter 155 of the Revised Statutes;”

Which was read a first and second time.

On motion of Mr. Colby—

*Resolved*, That the same be recommitted to the same committee.

On motion of Mr. Morrill—

The Senate adjourned.

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## AFTERNOON.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed bills with the following titles, to wit :

“An act in addition to chapter one hundred and forty-five of the Revised Statutes of the State of New Hampshire;”

“An act to alter one of the terms of holding the Court of Probate in the county of Carroll;”

“An act in amendment of the twenty-third chapter of the Revised Statutes,” in which they ask the concurrence of the Honorable Senate.”

The foregoing bill sent up from the House of Representatives, entitled "An act in addition to chapter one hundred and forty-five of the Revised Statutes of the State of New Hampshire," was read a first and second time.

*Ordered*, That the same be referred to the committee on Incorporations.

The foregoing bill sent up from the House of Representatives, entitled "An act to alter the times of holding the Court of Probate in the county of Carroll," was read a first and second time.

*Ordered*, That the same be referred to the committee on the Judiciary.

The foregoing bill sent up from the House of Representatives entitled "An act in amendment of the twenty-third chapter of the Revised Statutes," was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was recommitted the bill, entitled "An act in amendment of chapter one hundred and fifty and in addition to chapter one hundred and fifty-five of the Revised Statutes," reported the same in a new draft;

Which was read a first and second time.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow forenoon at ten o'clock.

On motion of Mr. Pease—

The Senate adjourned.

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### WEDNESDAY, JUNE 21, 1843.

Mr. Swett, from the standing committee on Claims, to whom was referred the bill from the House, entitled "An act in amendment of the twenty-third chapter of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the bill sent up from the House of Representatives, entitled "An act to alter one of the times of holding the Court of Probate in the county of Carroll," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

The Senate proceeded to the order of the day on the bill, entitled "An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes;"

Which was read a third time.

On motion of Mr. Colby—

It was laid upon the table.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed the following resolution, in which they ask the concurrence of the Honorable Senate, to wit :

"A resolution fixing on a day on which the business of the present session may be brought to a close."

The House concur with the Honorable Senate in the adoption of their amendment to the resolution, authorizing the distribution of the Judicial Reports of this State to the Government of the United States and the several states and territories of this Union."

The foregoing resolution from the House of Representatives, fixing on a day on which the business of the present session may be brought to a close, having been read;

On motion of Mr. Warner—

It was laid upon the table.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a resolution, relating to laws passed the present session in amendment of the Revised Statutes, in which they ask the concurrence of the Honorable Senate;"

Which resolution was read.

On motion of Mr. Hoskins—

It was laid upon the table.

On motion of Mr. Hale—

The Senate adjourned.

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### AFTERNOON.

On motion of Mr. Colby—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of altering or amending the 4th and 5th sections of the forty sixth chapter of the Revised Statutes, and that they report by bill or otherwise.

Mr. Colby from the joint standing committee on Engrossed Bills, reported that they had examined a resolution, directing the Secretary of State to furnish copies of the Judicial Reports of this State to the United States, and the several states and territories of this Union, and find the same correctly engrossed.

The Senate proceeded to the order of the day on the bill sent up from the House of Representatives, entitled, "An act to alter one of the times of holding the Court of Probate in the county of Carroll;"

Which was read a third time.

The question being upon the passage of the bill;

*Resolved*, That it pass, and that its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill sent up from the House, entitled "An act in amendment of the twenty third chapter of the Revised Statutes;"

Which was read a third time.

The question being upon the passage of the bill;

*Resolved*, That it pass, and that its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Colby—

The Senate resumed the consideration of the bill, entitled "An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes."

The question being upon the passage of the bill.

*Resolved*, That it pass, and that its title be as aforesaid.

**Ordered,** That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

“Mr. President—The Speaker of the House of Representatives has signed a resolution relating to the distribution of the Judicial Reports of this State to the government of the United States, and the several states and territories, reported as correctly engrossed by the committee on Engrossed Bills.”

Thereupon the President of the Senate signed said resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the resolution, directing the Secretary of State to furnish the United States and the several states and territories of the Union with the judicial reports of this State, to His Excellency the Governor for his approval and signature.

On motion of Mr. Hatch—

The Senate adjourned.

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THURSDAY, JUNE 22, 1843.

A message from His Excellency the Governor, by Mr. Treadwell, Secretary of State :

*“To the Senate and House of Representatives :*

I herewith transmit the annual Report and return of the Adjutant General and Quartermaster General, which give an abstract of the number and condition of our militia for the present year, with an account of the ordnance, arms, equipments and other public property now in the charge of the Commissary General, and also an account of the present condition of the ordnance, arms, equipments and other public property now under the control of different companies and regiments, connected with the militia.

HENRY HUBBARD.

Council Chamber, June 21, 1843.”

On motion of Mr. Colby—

*Ordered*, That it be referred to the committee on Military Affairs.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State.

*" To the Senate and House of Representatives:*

At the session of the Executive Department in June, 1842, Samuel Cushman of Portsmouth, James Foss of Greenland and James Burley of Exeter were appointed and commissioned in pursuance of the Resolve of the Legislature approved July 3, 1841, Trustees of the Exeter Savings Bank, and direction was given to said Trustees "to take possession of, and manage and close the entire concerns of said Institution, and to pay over the proceeds to the several depositors in proportion to their several deposits." The Trustees accepted the trust, and executed a sufficient bond for the faithful performance of their duty. I herewith transmit to the Legislature a communication received from said Trustees in relation to their doings, and giving an account of the expenses incurred. It has been stated to the Executive that the injunction awarded and issued against the Trustees of the Corporation had been dissolved by the Court in accordance with an arrangement made between the depositors and others concerned—and a sufficient bond was thereupon executed by said Trustees faithfully to distribute the amount in deposit to those to whom it justly belonged. I have considered it proper again to present this subject to your consideration, in order that any further proceedings may be directed if necessary to carry into effect the purpose designed—and if no further proceedings should be deemed important, the Legislature will consider the exhibit of expenses, and determine if any, and what further appropriations are required to compensate for the services and disbursements of those agents appointed as before stated.

HENRY HUBBARD.

Council Chamber, June 22, 1843."

On motion of Mr. Colby—

*Ordered*, That the message be referred to the committee on Banks.

Mr. Colby, from the standing committee on the Judiciary to whom was referred certain resolutions of the Legislature of Massachusetts in relation to an amendment of the Constitution of the United States, made a report;

Whereupon—

*Resolved*, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Colby—

The Senate resumed the consideration of the resolution from the House relating to laws passed the present session in amendment of the Revised Statutes;

Which was read a second time.

Mr. Colby moved to amend said resolution, by striking out all after the resolving clause, and insert—"That all bills, and the several sections thereof, which at the present session have been or shall be passed in addition to or in amendment of the Revised Statutes, shall, by the joint committee on Engrossed Bills, be consistently arranged, and with such merely verbal alterations as the new arrangement shall require, shall be engrossed as one bill, with notes in the margin thereof designating the chapter or section to which the addition or amendments apply; that the title of said engrossed bill shall be, 'An act in addition to and in amendment of the Revised Statutes of the State of New Hampshire;' and that said bill being reported by the committee, and found by both Houses to be correctly engrossed, shall be signed by the presiding officers thereof, and then presented to the Governor for his approval."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Hoskins—

*Resolved*, That the rules of the Senate be so far suspended, that the resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

*Resolved*, That it pass. •

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins—

The Senate resumed the consideration of the report of the joint select committee, to whom was referred the resolution fixing on a day when the business of the present session of the Legislature may be brought to a close;

Which was read.

On motion of Mr. Colby.—

It was laid upon the table.

On motion of Mr. Smith—

The Senate adjourned.

### AFTERNOON.

A message from His Excellency the Governor, by Mr. Treadwell, Secretary of State :

*“To the Senate and House of Representatives :*

I herewith transmit to the Legislature a communication which I have received from the State Treasurer, giving a statement of the condition of the treasury and his estimate of the probable disbursements at the treasury, between the present time and December, 1843, and also his estimate of the probable receipts and disbursements between December, 1843, and June 1, 1844.

HENRY HUBBARD.

Council Chamber, June 22, 1843.”

On motion of Mr. Hoskins—

*Ordered*, That it be referred to the committee on Claims.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have passed bills with the following titles, to wit:

“An act to provide for the appointment of an additional officer in the company of Artillery in the third Regiment;”

“An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire;”

“An act to incorporate the proprietors of the Great Falls and Conway Railroad,” in which they ask the concurrence of the Honorable Senate.

The House concur with the Honorable Senate in the passage of a resolution, authorizing His Excellency the Governor to appoint an agent to conclude an arrangement for the arbitration of the case—State of New Hampshire vs. Gordon Burley.”

The foregoing bill sent up from the House of Representatives,

entitled "An act to provide for the appointment of an additional officer in the company of artillery in the third Regiment;"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The foregoing bill sent up from the House of Representatives, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire;"

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing bill sent up from the House of Representatives, entitled "An act to incorporate the proprietors of the Great Falls and Conway Railroad;"

Was read a first time.

On motion of Mr. Hoskins—

It was laid upon the table.

On motion of Mr. Morrill—

The Senate adjourned.

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## FRIDAY, JUNE 23, 1843.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the bill from the House of Representatives, entitled "An act to provide for the appointment of an additional officer in the company of Artillery in the third Regiment," reported the same without amendment;

Which was read a first and second time.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Pierce introduced the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That the jail in each county be furnished with a copy of the Revised Statutes for the use of the jailer, at the expense of the State, to be paid out of any money in the treasury not otherwise appropriated;

Which resolution was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolution, in which they ask the concurrence of the Honorable Senate, to wit:

"An act to provide for the return of inventories;"

"An act in amendment of chapter 28 of the Revised Statutes;"

A resolution in favor of Samuel D. Bell and Charles J. Fox.

The House concur with the Honorable Senate in the passage of a resolution, appointing Jacob C. Carter, Librarian for the year, ensuing.

The House concur with the Honorable Senate in the adoption of their amendment to the resolution in relation to the laws passed the present session in addition to and in amendment of the Revised Statutes."

The foregoing resolution sent up from the House of Representatives, in favor of Samuel D. Bell and Charles J. Fox,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

The foregoing bill sent up from the House of Representatives, entitled "An act providing for the return of Inventories,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of chapter 23 of the Revised Statutes,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Elections.

On motion of Mr. Pease—

The Senate adjourned.

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## AFTERNOON.

On motion of Mr. Hale—

*Resolved*, That the Senate now have a recess until four o'clock this afternoon.

## FOUR O'CLOCK, P. M.

Mr. Hale, from the standing committee on Elections, to whom was referred the bill, entitled "An act in amendment of chapter 28 of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in relation to furnishing each jailer in this State with a copy of the Revised Statutes, reported the same in a new draft ;

Which was read a first and second time.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

The Senate proceeded to the order of the day on the bill, entitled "An act to provide for the appointment of an additional officer in the company of Artillery in the third Regiment;"

Which was read a third time.

The question being upon the passage of said bill,

But before it was taken,

On motion of Mr. Hoskins—

The bill was laid on the table.

On motion of Mr. Hoskins—

The Senate adjourned.

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SATURDAY, JUNE 24, 1843.

The Senate proceeded to the order of the day upon the resolution in relation to furnishing the Revised Statutes to each jailor in this State;"

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill, entitled "An act in amendment of chapter 28 of the Revised Statutes;"

Which was read a third time.

The question being upon the passage of said bill,

But before it was taken,

On motion of Mr. Warner—

It was laid upon the table.

Mr. Swett, from the standing committee on Claims, to whom was referred a resolution in favor of Samuel D. Bell and Charles J. Fox reported the same without amendment.

On motion of Mr. Smith—

It was laid upon the table.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in amendment of the two hundred and fiftieth chapter of the Revised Statutes;"

"An act in amendment of the two hundred and twenty-second chapter of the Revised Statutes;"

"An act in favor of the Artillery company in the third Regiment N. H. Militia;"

"Sundry resolutions requiring the selectmen of towns to make school returns;

"A resolution prescribing the places of holding elections in the classed towns of Windsor and Bennington."

The House have adopted a preamble and sundry resolutions relative to the Military Academy at West Point, in which ask the concurrence of the Honorable Senate.

The Speaker of the House of Representatives has signed the following resolutions, reported as correctly engrossed by the committee on Engrossed Bills:

"A resolution authorizing the Governor to appoint an agent with power to refer to arbitrators the suit of the State vs. Gordon Burley;"

"A resolution appointing Jacob C. Carter Librarian for the ensuing year;

"A resolution in relation to the laws in amendment of the Revised Statutes."

The foregoing resolutions sent up from the House of Representatives requiring the selectmen of towns to make school returns,

Was read a first and second time.

*Ordered*, That the same be referred to the committee on Education.

The foregoing resolution sent up from the House, prescribing the places of holding elections in the classed towns of Windsor and Bennington,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Elections.

The foregoing bill sent up from the House of Representatives, entitled "An act in favor of the Artillery company in the third Regiment N. H. Militia,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of the two hundred and twenty-second chapter of the Revised Statutes,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of the two hundred and fifteenth chapter of the Revised Statutes,"

Were read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing preamble and resolutions sent up from the House of Representatives, relative to the Military Academy at West Point,

Were read a first and second time.

On motion of Mr. Hoskins—

Were laid upon the table.

Mr. Smith, from the joint standing committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed the following resolutions:

"A resolution relative to Gordon Burley;"

"A resolution appointing Jacob G. Carter Librarian for the ensuing year;"

"A resolution relative to amendments of the Revised Statutes."

Thereupon the President of the Senate signed said resolutions and the same were delivered to the committee on Engrossed Bills

to be laid before His Excellency the Governor for his approval and signature.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State :

*" To the Senate and House of Representatives :*

On referring to the Journal of the last session, I observe that the House of Representatives voted that the consideration of the resolution, making an appropriation for the printing of the report upon the Geological and Mineralogical Survey of the State was postponed to the present session. Presuming that the subject will receive your attention before the close of your session, I have thought it advisable to transmit for your consideration extracts made from a communication which was received last evening from the State Geologist. They will aid the Legislature in their action upon this subject. I have reason to believe that he will be at the Capitol the early part of the next week, and will then, I trust, have prepared his final report upon the Geology and Mineralogy of the State, which I shall communicate to the Legislature as soon as it shall be received. The Geologist remarks that he hopes there will be no delay in the passage of the resolves as to the printing; for the maps and plates ought to be put into the hands of the engraver forthwith in order that they should be ready for the report.

HENRY HUBBARD.

Council Chamber, June 24th, 1843."

Which having been read,  
On motion of Mr. Warner—  
It was laid upon the table.  
On motion of Mr. Hoskins—

The Senate resumed the consideration of the preamble and resolutions in relation to the West Point Military Academy,  
Which were referred to the committee on Military Affairs.

On motion of Mr. Smith—

The Senate resumed the consideration of the resolution sent up from the House of Representatives, fixing upon a day on which the business of the present session may be brought to a close.

Mr. Smith moved to amend said resolution by striking therefrom the words " Wednesday the 28th," and inserting instead thereof the words " Thursday the 29th."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Smith, from the standing committee on the Judiciary, to whom was referred the bill sent up from the House of Representatives, entitled "An act providing for the return of Inventories," reported the same with the following amendments:

In the 19th line strike out "four years," and insert instead thereof "fourth year;"

In the 23d line, strike out "years," and insert "year;"

In the 6th line section 3, strike out "four years," and insert instead thereof "fourth year;"

Which amendments were adopted.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Hoskins—

*Resolved*, That the rules of the Senate be so far suspended that said bill be read a third time at the present time.

Said bill was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred the bill sent up from the House of Representatives, entitled "An act in addition to chapter 145 of the Revised Statutes," reported a resolution;

On motion of Mr. Hatch—

It was laid upon the table.

On motion of Mr. Smith—

*Resolved*, That when the Senate adjourn this forenoon, it adjourn to meet on Monday forenoon at 11 o'clock.

On motion of Mr. Hatch—

The Senate adjourned.

MONDAY, JUNE 26, 1843.

On motion of Mr. Smith—

The reading of the Journal was dispensed with for the present.

Mr. Smith, from the joint committee on Engrossed Bills, reported that they had presented the following resolutions, by them found to be correctly engrossed, to His Excellency the Governor for his approval and signature, to wit:

A resolution relative to Gordon Burley;

A resolution appointing Jacob C. Carter Librarian;

A resolution relative to amendments of the Revised Statutes.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have passed bills with the following titles and the following address, in which they ask the concurrence of the Honorable Senate, to wit:

“An act in relation to the Judiciary;”

“An act in amendment of chapter 73 of the Revised Statutes;”

“An address for the removal of certain military officers therein named.”

The House concur with the Honorable Senate in the passage of a bill entitled, “An act in amendment of chapter 150 and in addition to chapter 155 of the Revised Statutes.”

The foregoing bill sent up from the House of Representatives, entitled “An act in relation to the Judiciary,”

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing bill sent up from the House of Representatives, entitled “An act in amendment of chapter 73 of the Revised Statutes,”

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

The foregoing address sent up from the House of Representatives, entitled “An address for the removal of certain military officers therein named,”

Was read.

On motion of Mr. Hoskins—

*Resolved*, That it pass.

On motion of Mr. Hoskins—

The Senate adjourned.

## AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to the resolution, fixing upon a day when the business of the present session may be brought to a close, with an amendment, in which they ask the concurrence of the Honorable Senate."

Mr. Warner moved to amend said amendment, by striking out therefrom "Saturday the first day of July next," and inserting instead thereof "Friday the last day of June."

On the question,

Shall the amendment be adopted?

It was decided in the negative.

So the amendment was not adopted.

The question being upon the adoption of the amendment sent up from the House of Representatives;

On the question,

Shall it be adopted?

It was decided in the affirmative.

So the amendment sent up from the House was adopted.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a resolution in favor of George McDaniel and Ebenezer Glines, in which they ask the concurrence of the Honorable Senate;"

Said resolution having been read,

On motion of Mr. Hoskins—

It was laid upon the table.

Mr. Smith, from the select committee, to whom was referred the message of His Excellency the Governor, accompanying the report and resolutions of the legislature of New Jersey embracing the subject of repudiation, reported a preamble and resolutions;

Which were read.

*Resolved*, That they pass.

On motion of Mr. Hoskins—

The Senate resumed the consideration of the resolution in favor of George McDaniel and Ebenezer Glines;

Which was read a second time.

On the question,

Shall the resolution be read a third time ?

It was decided in the affirmative.

On motion of Mr. Hoskins—

*Resolved*, That the Rules of the Senate be so far suspended, that said resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins—

The vote upon the passage of said resolution was reconsidered.

On motion of Mr. Warner—

*Ordered*, That it be referred to the committee on Claims.

Mr. Hale, from the standing committee on Elections, to whom was referred the resolution sent up from the House of Representatives, prescribing the places of holding elections in the classed towns of Windsor and Bennington, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

So the resolution was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hatch—

The Senate resumed the consideration of the resolution of the standing committee on Incorporations, to whom was referred the bill sent up from the House of Representatives, entitled "An act in addition to chapter 145 of the Revised Statutes."

Whereupon—

*Resolved*, That the further consideration of the bill be indefinitely postponed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Morrill, from the standing committee on Education, to whom was referred the resolution sent up from the House, "requiring the selectmen of towns to make school returns," made a report,

Whereupon—

*Resolved*, That the further consideration of the same be indefinitely postponed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed bills with the following titles, and the following resolution, in which they ask the concurrence of the Honorable Senate, to wit :

"An act in amendment of chapter 71 of the Revised Statutes ;"

"An act to annex James Ferrin of Freedom, to school district No. 4, in Eaton ;"

"An act to annex Robert Hopkins of Windham to school district No. 5, in Derry ;"

"An act to alter the names of certain persons ;"

"An act in favor of the Dover Artillery Company ;"

"An act in favor of the Artillery Company, in the 28th regiment ;"

"An act in addition to, and in amendment of Title XII and chapter 76 of the Revised Statutes ;"

A resolution in favor of Benjamin Stevenson and John F. Holt."

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of chapter 71, of the Revised Statutes,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

The foregoing bill sent up from the House of Representatives, entitled "An act to annex James Ferrin of Freedom to school district No. 4, in Eaton,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

The foregoing bill sent up from the House of Representatives entitled "An act in favor of the Dover Artillery Company,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The foregoing bill from the House of Representatives, entitled "An act to annex Robert Hopkins of Windham to School District No. 5, in Derry,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

The foregoing bill sent up from the House entitled "An act in

addition to, and in amendment of Title XII and chapter 76 of the Revised Statutes,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The foregoing bill sent up from the House of Representatives, entitled "An act to alter the names of certain persons,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

The foregoing bill sent up from the House entitled "An act in favor of the Artillery company in the twenty-eighth Regiment,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The foregoing "resolution in favor of Benjamin Stevenson and John F. Holt,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

On motion of Mr. Warner—

The Senate adjourned.

## TUESDAY, JUNE 27, 1843.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in favor of George McDaniel and William Glines, reported the same without amendment.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Warner, from the select committee, to whom was referred so much of His Excellency's message as relates to the State Prison, made a report.

On motion of Mr. Colby—

The report of said committee was accepted.

Mr. Warner, from the joint standing committee on the State House and State House Yard, reported a resolution appointing William Fisk, keeper of the State House and State House Yard ;

Which was read a first and second time.

On the question,

Shall it be read a third time ?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Pease—

The Senate resumed the consideration of the bill from the House, entitled "An act to incorporate the proprietors of the Great Falls and Conway Railroad ;"

Which was read a second time.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Hoskins—

The Senate resumed the consideration of the resolution from the House "in favor of Samuel D. Bell and Charles J. Fox. "

On the question,

Shall it be read a third time ?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the bill sent up from the House, entitled "An act in amendment of the 222nd chapter of the Revised Statutes," reported the following resolution :

*Resolved*, That the further consideration of said bill be indefinitely postponed.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

*Ordered*. That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the same committee, to whom was referred the bill from the House, entitled "An act in amendment of chapter 215 of the Revised Statutes," reported the following resolution :

*Resolved*, That the further consideration of said bill be indefinitely postponed.

On the question,

Shall the resolution pass ?

It was decided in the affirmative.

So the resolution passed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Pierce—

The Senate adjourned.

## AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill with the following title, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in relation to Banks and Banking."

The Speaker of the House has signed a "resolution in favor of George McDaniels and Ebenezer Glines," reported as correctly engrossed by the committee on Engrossed Bills."

The foregoing bill, sent up from the House of Representatives, entitled "An act in relation to Banks and Banking,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Banks.

The Senate proceeded to the order of the day upon the resolution in favor of Samuel D. Bell and Charles J. Fox;"

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the resolution, appointing William Fisk, keeper of the State House and State House Yard for the year ensuing;

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the bill, sent up from the House of Representatives, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes," reported the same with the following amendments:

Strike out all after the enacting clause except the 3d section;

Also, strike out the first seven lines of the third section and insert;

"That in all cases in which questions have been or hereafter shall be reserved and assigned to the Superior Court, agreeably to the provisions of the eighth section of chapter 172 of the Revised Statutes of the State of New Hampshire, the Superior Court in addition the power now vested in them,"

And at the end of the section add—

"And in case such judgment shall be for the plaintiff, any property attached on his writ shall be holden until the expiration of thirty days from the actual term of the issuing of the execution agreeably to said order."

On the question,

Shall the foregoing amendments be adopted?

It was decided in the affirmative.

So the amendments were adopted.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Hoskins, from the standing committee on Military Affairs, to whom was referred the bill from the House of Representatives, entitled "An act in addition to and amendment of Title twelve, chapter seventy-six of the Revised Statutes," reported the same with the following amendment:

Strike out all after the enacting clause and insert—

"That the attendants upon the insane, employed in the New Hampshire Asylum for the Insane, be, and they are hereby exempt from the performance of military duty, upon the same conditions as the first class of exempts, specified in the second section of the seventy-sixth chapter of the Revised Statutes;"

Which having been read,

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow forenoon at 10 o'clock.

Mr. Colby, from the standing committee on Military Affairs, to whom was referred the bill from the House, entitled "An act in favor of the Artillery company in the 3d Regiment N. H. Militia," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow.

Mr. Coiby, from the standing committee on Engrossed Bills, reported that they had examined a resolution in favor of George

McDaniel and Ebenezer Glines, and find the same to be correctly engrossed.

Thereupon, the President of the Senate signed said resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the foregoing resolution, reported by them as correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Hoskins—

*Resolved*, That the rules of the Senate be so far suspended that all bills which will be in order for a third reading to-morrow forenoon at ten o'clock be read a third time at the present time.

Bills with the following titles were severally read a third time and passed, to wit :

"An act in favor of the Artillery company in the third Regiment N. H. Militia;"

"An act in addition to and amendment of title twelve and chapter 76 of the Revised Statutes;"

"An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire."

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the bill, entitled "An act in favor of the Dover Artillery company," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That the same be read a third time at ten o'clock to-morrow forenoon.

Mr. Warner, from the same committee, to whom was referred the bill from the House of Representatives, entitled "An act in favor of the Artillery company in the twenty-eighth Regiment," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow forenoon at ten o'clock.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of altering or amending the 4th and 5th sections

of the forty-sixth chapter of the Revised Statutes," reported the following resolution :

*Resolved*, That the committee be discharged from the further consideration of the subject.

Which was adopted.

Mr. Hoskins offered a resolution, directing the Clerk to procure seventy-five printed copies of the report of the select committee to whom was referred so much of the message of His Excellency the Governor as relates to the State Prison for the use of the Senate.

Mr. Smith moved to amend said resolution by striking out the words "*seventy-five*" and inserting instead thereof *fifty*.

On the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Resolved*, That the resolution pass as amended.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendments to the bill, entitled "An act providing for the return of inventories."

The House have passed a resolution, appointing William Fisk keeper of the State House and State House Yard for the ensuing year, in which they ask the concurrence of the Honorable Senate."

The foregoing resolution sent up from the House of Representatives, appointing William Fisk keeper of the State House and State House Yard for the ensuing year,

Was read a first and second time.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

On motion of Mr. Warner—

*Resolved*, That the rules of the Senate be so far suspended, that it be read a third time at the present time.

The resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill sent up from the House of Representa-

tatives, entitled "An act in amendment of chapter seventy-three of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow forenoon at ten o'clock.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was referred the bill from the House of Representatives, entitled "An act in relation to the Judiciary," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Swett, from the standing committee on Banks, to whom was referred the bill from the House, entitled "An act in relation to Banks and Banking," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

A message from the House of Representatives by their Clerk :

"Mr. President—The Speaker of the House of Representatives has signed "An address in favor of the removal of certain military officers therein named," and a resolution relating to the choice of representatives from the classed towns of Windsor and Bennington, reported as correctly engrossed by the committee on Engrossed Bills."

Mr. Colby from the joint standing committee on Engrossed Bills, reported that they had examined, and found to be correctly engrossed, "An address in favor of the removal of certain military officers therein named,"—also a resolution in relation to the choice of representatives from the classed towns of Windsor and Bennington.

Thereupon the President of the Senate signed said address and resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid address and resolution by them reported as correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Hale—

The Senate adjourned.

WEDNESDAY, JUNE 28, 1843.

The Senate proceeded to the order of the day on bills with the following titles :

“An act in favor of the Dover Artillery Company;”

“An act in favor of the Artillery company in the twenty-eighth Regiment;”

“An act in relation to Banks and Banking;”

Which were severally read a third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill sent up from the House of Representatives, entitled, “An act in relation to the Judiciary;”

Which was read a third time.

On motion of Mr. Colby—

It was laid on the table.

Mr. Colby presented the petition of Sarah Livermore and others, to be incorporated as the Concord Female Charitable Society;

Which was read.

Ordered, That it be referred to the committee on Incorporations.

The Senate proceeded to the order of the day on the bill sent up from the House of Representatives, entitled “An act in amendment of chapter 173 of the Revised Statutes;”

Which was read a third time.

On the question,

Shall the bill pass?

Mr. Warner demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Hatch, Morrill, Hale and Pease.

Those who voted in the negative, were Messrs. Pierce, Brown, Hoskins, Carpenter, Smith, Swett and Warner.

Yeas 4—Nays 7.

So the bill was rejected.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Smith, from the standing committee on Banks, to whom was referred the message of His Excellency the Governor, with the reports of the Bank Commissioners and Cashiers' returns, made a report.

On motion of Mr. Smith—

It was laid upon the table and the Clerk was directed to procure fifty printed copies of the same for the use of the Senate.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution sent up from the House, in favor of Benjamin Stephenson and John F. Holt, reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Hatch—

The Senate adjourned.

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#### AFTERNOON.

The Senate proceeded to the order of the day on the resolution in favor of Benjamin Stephenson and John F. Holt;

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Warner—

*Resolved*, That the standing committee on the Judiciary be instructed to inquire into the expediency of amending the 5th section of chapter thirty-nine of the Revised Statutes of the State of New Hampshire.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed a resolution in favor of the estate of George W. Bagley, in which they ask the concurrence of the Honorable Senate.”

The House concur with the Honorable Senate in their amendment to a bill entitled, “An act in addition to and in amendment of title twelve and chapter seventy-six of the Revised Statutes.”

The foregoing resolution in favor of the estate of George W. Bagley, sent up from the House of Representatives,  
Was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred the petition of Sarah Livermore and others, reported a bill entitled “An act to incorporate the Concord Female Charitable Society;”

Which was read a first and second time.

On motion of Mr. Hoskins—

It was laid upon the table.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill sent up from the House of Representatives, entitled “An act to annex James Ferrin of Freedom to school district numbered 4, in Eaton,” reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That the same be read a third time at ten o'clock to-morrow forenoon.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the preamble and resolutions in relation to the Military Academy at West Point, reported the same without amendment.

*Resolved*, That they pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Pierce, from the standing committee on Roads, Bridges and Canals, to whom was referred the bill from the House of Representatives, entitled “An act to incorporate the proprietors of the Great Falls and Conway railroad,” reported the same without amendment.

Mr. Hoskins moved the indefinite postponement of the bill.

But before the question was taken,

Mr. Hoskins withdrew his motion.

On motion of Mr. Colby—

It was laid upon the table.

A message from the House of Representatives by their Clerk :

"Mr. President—The Speaker of the House of Representatives has signed the following bill and resolutions, reported as correctly engrossed by the committee on Engrossed Bills.

"An act in favor of the Artillery company in the third Regiment of the N. H. Militia;"

A resolution in favor of Samuel D. Bell and Charles J. Fox;

A resolution appointing William Fisk to take charge of the State House and State House Yard the ensuing year."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the aforesaid bill and resolutions and found the same to be correctly engrossed.

Thereupon the President signed said bill and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid bill and resolutions, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

A message from the House of Representatives by their Clerk :

"Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, reported as correctly engrossed by the committee on Engrossed Bills :

"An act in favor of the Dover Artillery company;"

"An act in relation to Banks and banking;"

"An act providing for the return of inventories;"

"An act in favor of the Artillery company in the twenty-eighth Regiment."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the aforesaid bills and found the same to be correctly engrossed.

Thereupon the President signed said bills, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid bills, by them

reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Morrill—

The Senate adjourned.

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THURSDAY, JUNE 29, 1843.

The Senate proceeded to the order of the day on the bill from the House of Representatives, entitled "An act to annex James Ferrin of Freedom to school district No. 4, in the town of Eaton;"

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in favor of the estate of George W. Bagley, reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Colby—

The Senate resumed the consideration of the bill from the House of Representatives, entitled "An act in relation to the Judiciary."

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill from the House of Representatives, entitled "An act in amendment of chapter 71 of the Revised Statutes," reported the following resolution :

*Resolved*, That the further consideration of said bill be indefinitely postponed.

On the question,

Shall the resolution pass?

• It was decided in the affirmative.

So the resolution was adopted.

**Ordered,** That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit :

"An act in amendment of the thirty-ninth chapter of the Revised Statutes;"

"An act in amendment of the forty-fourth section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;"

"An act in amendment of chapter two hundred and twenty-eight of the Revised Statutes of the State of New Hampshire;"

"An act in favor of Jeremiah C. Tilton;"

A resolution in favor of Benaiah Cook;

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick;

A resolution in favor of Lucinda C. Given;

Resolutions in relation to the assumption and repudiation of State debts.

The House non-concur with the Honorable Senate in the adoption of their amendment to a bill, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," and ask for a conference with the Senate thereon, and have on their part appointed Messrs. Hibbard, Peirce of Dover and Clark of Manchester a committee of conference.

The foregoing bill from the House, entitled "An act in amendment of the 20th chapter of the Revised Statutes,"

Was read a first and second time.

**Ordered,** That it be referred to the committee on the Judiciary.

The foregoing bill, sent up from the House of Representatives, entitled "An act in amendment of the 44th section of chapter 140 of the Revised Statutes of the State of New Hampshire,"

Was read a first and second time.

**Ordered,** The same be referred to the committee on Banks.

The foregoing bill, from the House, entitled "An act in addition to chapter 228 of the Revised Statutes,"

Was read a first and second time.

Mr. Warner moved that it be referred to the committee on the Judiciary,

But before the question was put,

Mr. Smith moved the indefinite postponement of the bill.

On the question being put,

It was decided in the negative.

The question recurring on the motion of Mr. Warner to refer to the committee on the Judiciary,

Mr. Pease demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Colby, Smith and Warner—3.

Those who voted in the negative were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Brown, Hoskins, Carpenter and Swett—9.

So the motion did not prevail.

*Ordered*, That it be referred to the committee on Claims.

The foregoing bill sent up from the House of Representatives, entitled "An act in favor of Jeremiah C. Tilton,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing resolution sent up from the House in favor of Benaiah Cook,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Printers' Accounts.

The foregoing resolution sent up from the House of Representatives, in favor of Josiah B. Wiggins and Ira R. Philbrick,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

The foregoing resolution sent up from the House, in favor of Lucinda C. Given,

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing resolutions sent up from the House of Representatives, in relation to the assumption and repudiation of State debts,

Were severally read.

On motion of Mr. Hoskins—

*Resolved*, That they be laid upon the table.

On motion of Mr. Hatch—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a committee of conference, upon the subject of a disagreement between the two branches; relative to the amendment adopted by the Senate to the bill entitled "An

act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire."

*Ordered*, That Messrs. Colby, Hoskins and Smith constitute the committee of conference on the part of the Senate, upon the subject of the disagreement of the two branches of the Legislature, relative to the adoption of the amendment of the Senate to the bill from the House in relation to chapter 172 of the Revised Statutes of the State of New Hampshire.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill from the House, entitled "An act for the alteration of names," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the message of His Excellency the Governor, accompanied by the abstract of the annual return of the militia of the State of New Hampshire for the year eighteen hundred and forty-three, with the report of the Adjutant and Quarter Master General, reported the following resolution:

*Resolved*, That the message of His Excellency the Governor, and the accompanying reports, be filed in the office of the Secretary of State;

Which passed.

On motion of Mr. Colby—

The Senate adjourned.

## AFTERNOON.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was referred the bill from the House of Representatives, entitled "An act in amendment of chapter 39 of the Revised Statutes," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Swett, from the standing committee on Claims, to whom

was referred the bill from the House of Representatives, entitled "An act in amendment of chapter 228 of the Revised Statutes of the State of New Hampshire," reported the same with the following amendment:

In the 5th line, strike out "two dollars and fifty cents" and insert "three dollars."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Hoskins proposed further to amend the bill, by adding thereto the following section:

SECTION — *And be it further enacted*, That the judges of probate for the several counties in this State be, and they hereby are allowed in full for their services, the sum of three dollars per day for every day they shall be actually engaged in the discharge of the duties of their said offices, and ten cents per mile for their travel to and from the place of holding [their several courts; and that section 12 of chapter 228 of the Revised Statutes of this State, be and the same is hereby repealed.

Mr. Hoskins demanded the yeas and nays on said amendment.

Those who voted in the affirmative, were Messrs. Colby, Brown, Hoskins, Smith and Warner—5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett—7.

So the amendment was rejected.

Mr. Warner moved to lay the bill upon the table.

On the question,

Shall the bill be laid upon the table?

It was decided in the negative.

Mr. Hoskins proposed to amend the foregoing bill, by inserting the following section:

SECTION — *And be it further enacted*, That the judges of the circuit court of common pleas be, and they hereby are allowed the sum of four dollars and fifty cents per day, for each and every day they are actually engaged in the discharge of the duties of their said offices, and ten cents per mile travel, to and from the place of holding the said several terms of the circuit court of common pleas, which said payment shall be in lien and instead of the salary fixed by section 7 chapter 228 of the Revised Statutes of this State.

On the question,

Shall the amendment be adopted?

Mr. Warner demanded the yeas and nays:

Those who voted in the affirmative, were Messrs. Colby, Brown, Hoskins, Smith and Warner—5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett—7.

So the amendment was rejected.

Mr. Smith moved to lay the bill upon the table.

On the question,

Shall the bill be laid upon the table?

Mr. Warner demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Colby, Brown, Hoskins, Smith and Warner—5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett—7.

So the motion to lay on the table did not prevail.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow forenoon at 10 o'clock.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed an address in favor of the removal of certain officers therein named, in which they ask the concurrence of the Honorable Senate;”

Which was read.

*Ordered*, That it be referred to the committee on Military Affairs.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed a bill entitled, ‘An act for the further encouragement of Education,’ in which they ask the concurrence of the Honorable Senate:”

The foregoing bill sent up from the House of Representatives entitled “An act for the further encouragement of Education,”

Was read a first and second time.

*Ordered*, That the same be referred to the committee on Education.

Mr. Smith, from the standing committee on the Judiciary, to whom was referred the bill from the House, said: “An act in

favor of Jeremiah C. Tilton," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Pease, from the standing committee on Printers' Accounts, to whom was referred a resolution in favor of Benaiah Cook, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in favor of Josiah B. Wiggin and Ira R. Philbrick, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time to-morrow forenoon at ten o'clock.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill, entitled "An act to annex Robert Hopkins of Windham to school district No. 5 in Derry," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at ten o'clock to-morrow forenoon.

The Senate proceeded to the order of the day on the bill, from the House of Representatives, entitled "An act to alter the names of certain persons;"

Which was read a third time.

*Resolved*, That it pass and its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the resolution from the House of Representatives, in favor of the estate of George W. Bagley;

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the resolution in favor of Lucinda C. Given, reported the same with the following amendment:

Strike out all after the resolving clause and insert instead thereof,

"That the State Treasurer be and he is hereby authorized to convey by quit-claim deed to Lucinda C. Given, wife of Joseph M. Given of Hanover, in the county of Grafton and State of New Hampshire, all the right and title the said State of New Hampshire has in and to a certain parcel or tract of land situate in Hanover aforesaid; it being the same land conveyed to the State of New Hampshire by Ebenezer Symmes of said Hanover, as will appear by his deed of warrantee to said State, May 22, A. D. 1830, on condition that the said Lucinda C. Given pay or cause to be paid into the Treasury of the State the sum of fifteen dollars on the delivery of said deed."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Warner—

*Resolved*, That the Rules of the Senate be so far suspended, that the resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins—

*Resolved*, That the Senate have a recess until half past 5 o'clock, P. M.

### HALF PAST FIVE O'CLOCK, P. M.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit:

"An act to incorporate the Northern railroad company;"

"An act to incorporate the Piscataquog railroad company;"

"An act to prevent small pox by vaccination;"

"An act in addition to the 49th chapter of the Revised Statutes;"

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

"An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire;"

"An act to incorporate the proprietors of the Nashville and East Wilton railroad;"

"An act in amendment of the fifth section of the one hundredth chapter of the Revised Statutes;"

"An act making appropriations for the Militia of this State for the year 1843;"

"An act relating to Manufacturing corporations;"

"An act in amendment of chapter one hundred and seventeen of the Revised Statutes;"

Resolutions relating to the imprisonment of citizens of this State in other States;

A resolution authorizing the Treasurer to borrow money;

A resolution directing the Adjutant General to adjust the claim of the officers of the Dover Artillery company;

A resolution authorizing the Governor to employ a chaplain for the State Prison and making an appropriation therefor;

A resolution in favor of Ira B. Hoit, S. W. Dearborn, James Burley and James Foss;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow;

A resolution in favor of the Boscawen Artillery company."

The foregoing bill, sent up from the House of Representatives, entitled "An act to prevent small pox by vaccination,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

The foregoing bill, sent up from the House, entitled "An act in addition to the 49th chapter of the Revised Statutes,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

The foregoing bills with the following titles:

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

"An act in amendment of chapter one hundred and seventeen of the Revised Statutes;"

Were severally read a first and second time.

*Ordered*, That they be referred to the committee on the Judiciary.

The foregoing bill sent up from the House entitled "An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Incorporations.

The foregoing bill, entitled "An act in amendment of the fifth section of the one hundredth chapter of the Revised Statutes,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

The foregoing bill, entitled "An act relating to Manufacturing corporations,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Incorporations.

The foregoing bill from the House of Representatives, entitled "An act making appropriations for the Militia of this State for the year 1843,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The foregoing resolutions, from the House, relating to the imprisonment of citizens of this State in other States,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing resolutions sent up from the House of Representatives, to wit:

A resolution directing the Adjutant General to adjust the claim of the officers of the Dover Artillery company;

A resolution in favor of the Boscawen Artillery company;

Were severally read a first and second time.

*Ordered*, That the same be referred to the committee on Military Affairs.

The foregoing resolutions sent up from the House of Representatives, to wit :

A resolution authorizing the Treasurer to borrow money ;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow ;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown ;

Were severally read a first and second time.

*Ordered*, That they be referred to the committee on Claims.

The foregoing resolution from the House, in favor of Ira B. Hoitt, S. W. Dearborn, James Burley and James Foss,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Banks.

The foregoing resolution from the House authorizing the Governor to employ a Chaplain for the State Prison, and making an appropriation therefor,

Was read a first and second time.

*Ordered*, That it be referred to the select committee on so much of the message of His Excellency the Governor as relates to the State Prison.

On motion of Mr. Hoskins—

The Senate adjourned.

## FRIDAY, JUNE 30, 1843.

The Senate proceeded to the consideration of the bills from the House of Representatives, with the following titles :

“An act to incorporate the Piscataquog Railroad company ;”

“An act to incorporate the proprietors of the Nashville and East Wilton Railroad ;”

“An act to incorporate the Northern Railroad company.”

On motion of Mr. Warner—

*Resolved*, That the rules of the Senate be so far suspended that said bills be read a first and second time by their titles.

So the bills were read a first and second time.

*Ordered*, That they be referred to the committee on Roads, Bridges and Canals.

The Senate proceeded to the order of the day, on the bills with the following titles, and the following resolutions sent up from the House.

"An act to annex Robert Hopkins of Windham to school district No. 5, in Derry ;"

"An act to amend the 39th chapter of the Revised Statutes ;"

"An act in favor of Jeremiah C. Tilton ;"

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick ;

A resolution in favor of Benaiah Cook ;

Which were severally read a third time.

*Resolved*, That they pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill from the House, entitled "An act in addition to chapter 228 of the Revised Statutes ;"

Which was read a third time.

Mr. Hoskins moved that said bill be put upon its second reading for the purpose of amendment.

On the question being taken,

It was decided in the negative.

Mr. Hoskins demanded the yeas and nays on said motion.

Those who voted in the affirmative, were Messrs. Colby, Brown, Hoskins, Smith and Warner—5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett—7.

So the motion was rejected.

The question being on the passage of the bill as amended.

Mr. Warner demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett—7.

Those who voted in the negative, were Messrs. Colby, Brown, Hoskins, Smith, Warner—5.

So the bill passed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, and the following preamble and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, to wit :

"An act in relation to the Judiciary ;"

"An act to annex James Ferrin of Freedom, to school district No. 4, in Eaton ;"

Preamble and sundry resolutions in relation to the Military Academy at West Point ;

A resolution in favor of Benjamin Stephenson and John F. Holt."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the foregoing bills, resolution, and Preamble and resolutions, and found the same to be correctly engrossed.

Thereupon the President of the Senate signed said bills and resolutions, reported to be correctly engrossed by the committee on Engrossed Bills, and the same were delivered to said committee to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed bills, reported that they had presented the foregoing bills and resolutions, by them reported to be correctly engrossed, to His Excellency, the Governor for his approval and signature.

A message from the House of Representatives by their Clerk:

"Mr. President—The Speaker of the House of Representatives has signed a bill with the following title, and the following resolution, reported as correctly engrossed by the committee on Engrossed Bills, to wit :

"An act to alter the names of certain persons ;"

A resolution in favor of the estate of George W. Bagley."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the foregoing bill and resolution, and found the same to be correctly engrossed.

Thereupon the President signed said bill and resolution, and the same were thereupon delivered to the committee on Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Colby, from the committee on Engrossed Bills, reported that they had presented the foregoing bill and resolution, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

Mr. Smith, from the standing committee on the Judiciary, to whom was referred the bill from the House, entitled "An act in amendment of chapter 117 of the Revised Statutes;" reported the following resolution :

*Resolved*, That the further consideration of the subject be postponed till the next session of the Legislature.

Which was adopted.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Swett, from the committee on Claims, to whom was referred a resolution authorizing the Treasurer of this State to borrow money," reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Colby—

*Resolved*, That the rules of the Senate be so far suspended that said resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill with the following title, and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit:

"An act to raise sixty thousand dollars for the use of the State;"

A resolution in relation to Registers of Probate;

A resolution making an appropriation for the contingent expenses of this State;

A resolution in favor of indigent deaf, dumb and blind persons;

A resolution in favor of Zenas Clement, Jesse Carr, Franklin Simonds, Josiah Stevens 3d, and Bartholomew Smith;

A resolution in favor of Geo. W. Ela."

The foregoing bill from the House, entitled—"An act to raise sixty thousand dollars for the use of the State,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

The foregoing resolution, in relation to Registers of Probate,

Was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The foregoing resolutions from the House of Representatives, to wit:

A resolution making an appropriation for the contingent expenses of the State,

A resolution in favor of Zenas Clement, Jesse Carr, Franklin Simonds, Josiah Stevens, 3d., and Bartholomew Smith,

Were severally read a first and second time.

*Ordered*, That they be referred to the committee on Claims.

The foregoing resolution from the House, in favor of indigent deaf, dumb and blind persons,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

The foregoing resolution in favor of George W. Ela,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Printer's Accounts.

A message from the House of Representatives by their Clerk:

"Mr. President—The House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the laws of this State."

On motion of Mr. Warner—

*Resolved*, That the Senate now meet the House of Representatives in Convention, for the purpose of proceeding in the elections.

### IN CONVENTION.

The Senate and House of Representatives being assembled in the Representatives' Hall, for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution:

On motion of Mr. Colby of the Senate—

The Convention proceeded by ballot to the choice of a warden of the State Prison for the ensuing year.

|                            |     |
|----------------------------|-----|
| Whole number of votes cast | 224 |
| Necessary for a choice     | 114 |
| Samuel G. Wilson has       | 1   |
| Isaac Hill has             | 1   |
| Andrew Jackson has         | 1   |
| Carroll & Baker have       | 1   |
| James Moore has            | 1   |
| Joshua Atwood has          | 1   |
| Henry Hubbard has          | 1   |

|                          |     |
|--------------------------|-----|
| Woodbridge Odlin has     | 1   |
| George W. G. Whitton has | 2   |
| Mical Tubbs has          | 6   |
| Elisha P. Liscomb has    | 61  |
| Samuel G. Berry has      | 144 |
| and is elected.          |     |

On motion of Mr. Hoskins of the Senate—

The Convention rose and the Senate returned to their chamber.

### IN SENATE.

Mr. Warner, from the standing committee on Claims, to whom was referred the resolution authorizing the Governor to appoint a Chaplain for the State Prison and making a provision therefor, reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

*Ordered*, That the same be read a third time at three o'clock this afternoon.

Mr. Swett, from the standing committee on Claims, to whom was referred the following resolutions;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow; reported the same without amendment.

On the question,

Shall said resolutions be read a third time?

It was decided in the affirmative.

*Ordered*, That the same be read a third time at three o'clock this afternoon.

Mr. Smith, from the standing committee on Banks, to whom was referred the resolution in favor of I. B. Hoitt and others, reported the same with the following amendment:

Strike out all after the word "that" in the second line, and insert the following: "James Burley be allowed the sum of six dollars, James Foss be allowed the sum of six dollars, in full of their respective accounts, and that the same be paid out of any money in the treasury not otherwise appropriated."

On motion of Mr. Warner—

It was laid upon the table.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Colby, Bissell and Martin, with such as the Senate may join, a committee to wait upon the Hon. Samuel G. Berry and inform him of his election to the office of Warden of the State Prison, and if he accept said office, to receive of him the customary bond, and to inform His Excellency the Governor of his appointment."

On motion of Mr. Hoskins—

*Resolved*, That the Senate concur in the appointment of a committee to wait upon Hon. Samuel G. Berry, and inform him of his election to the office of Warden of the State Prison, and if he accept said office, to receive of him the customary bond, and to inform His Excellency the Governor of his appointment.

*Ordered*, That Mr. Warner be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the committee on the Judiciary, to whom was referred the resolutions from the House, relating to the imprisonment of citizens of this state in other states, reported the following resolution:

*Resolved*, That said resolution be indefinitely postponed;  
Which was adopted.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the same committee, to whom was referred the bill entitled "An act in amendment of the 113th chapter of the Revised Statutes," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the same committee, to whom was referred the bill from the House of Representatives, entitled "An act to amend and explain the 5th section of the 225th chapter of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending the 5th section of the 39th chapter of the Revised Statutes, reported a bill;

Which was read a first and second time.

On motion of Mr. Hoskins—

*Resolved*, That the same be referred to the committee of the Whole.

Mr. Colby, from the standing committee on Military Affairs, to whom was referred a resolution directing the Adjutant General to adjust the claims of the officers of the Dover artillery company, reported the following resolution :

*Resolved*, That said resolution be indefinitely postponed.

On the question,

Shall said resolution be adopted?

It was decided in the affirmative.

So the resolution was indefinitely postponed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred the bill from the House, entitled "An act in relation to Manufacturing corporations," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at three o'clock this afternoon.

Mr. Hoskins, from the same committee, to whom was referred the bill from the House, entitled "An act in amendment of the 146th chapter of the Revised Statutes of the State of New Hampshire," reported the same with the following amendment:

Amend the third section by striking out all after the word "effect," in the first line, and insert "on the first day of August next."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Warner—

The bill was laid upon the table.

Mr. Hoskins, from the standing committee on Military Affairs,

to whom was referred the following bill and resolution from the House, to wit:

"An act making appropriations for the militia of this State for the year one thousand eight hundred and forty-three;"

A resolution in favor of the Boscawen artillery company;

Reported the same without amendment.

On the question,

Shall they be read a third time?

It was decided in the affirmative.

*Ordered*, That they be read a third time at three o'clock this afternoon.

Mr. Colby, from the committee of conference, upon the amendment adopted by the Senate to the bill from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," reported a resolution;

Which was adopted.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have adopted the resolution reported by the committee of conference of the two Houses, upon the bill entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," and concur with the Honorable Senate in the adoption of their amendment to said bill.

The House have passed a bill with the following title and the following resolution, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in amendment of the charter of the Concord Railroad Corporation;"

A resolution in favor of Zenas Clement and others.

The House concur with the Honorable Senate in the adoption of their amendment to the resolution, authorizing the State Treasurer to convey to Lucinda C. Given a tract of land formerly the site of a gun house in the town of Hanover.

The House also concur with the Honorable Senate in the adoption of their amendment to the bill, entitled "An act in amendment of chapter 228 of the Revised Statutes."

The foregoing bill, sent up from the House of Representatives, entitled "An act in amendment of the charter of the Concord Railroad Corporation,"

Was read a first and second time.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

The foregoing resolution sent up from the House of Representatives, in favor of Zenas Clement and others,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Claims.

On motion of Mr. Colby—

The Senate resumed the consideration of the resolution in favor of Ira B. Hoitt and others;

Which was read as amended.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

*Ordered*, That it be read a third time at 3 o'clock this afternoon.

On motion of Mr. Smith—

The Senate adjourned..

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#### AFTERNOON.

Mr. Carpenter, from the joint select committee appointed to wait upon Thomas P. Treadwell and inform him of his election as Secretary of State, John Atwood and inform him of his election as Treasurer, Sampson B. Lord and inform him of his election as Commissary General and Messrs. Carroll & Baker and inform them of their election as State Printers for the ensuing year, reported that they had attended to the duty assigned them and that those gentlemen respectively have signified their acceptance of the several offices to which they had been elected and have furnished the requisite bonds.

Which report was accepted.

Mr. Swett, from the standing committee on Claims, to whom was referred the message of His Excellency the Governor with the report of the Treasurer, reported the following resolution :

*Resolved*, That the message of His Excellency the Governor together with the report of the Treasurer be deposited in the office of the Secretary of State.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Swett, from the same committee, to whom were referred the following bill and resolutions, reported the same without amendment:

"An act to raise sixty thousand dollars for the use of the State;"

A resolution appropriating five hundred dollars for the contingent expenses of this State;

A resolution in favor of Zenas Clement, Carleton & Harvey and William Walker & Co;

A resolution in relation to the bonds of State Treasurer, Secretary and Commissary General.

On the question,

Shall they be read a third time?

It was decided in the affirmative.

*Ordered*, That the foregoing bill and resolutions be read a third time at 10 o'clock to-morrow forenoon.

On motion of Mr. Warner—

*Resolved*, That the rules of the Senate be so far suspended, that all bills and resolutions which by the rules would be in order for a third reading to-morrow at ten o'clock in the forenoon, be read a third time this afternoon.

The foregoing bill and resolutions sent up from the House of Representatives, to wit:

"An act to raise sixty thousand dollars for the use of the State;"

A resolution appropriating five hundred dollars for the contingent expenses of this State;"

A resolution in favor of Zenas Clement, Carleton & Harvey and William Walker & Co.;

A resolution in relation to the bonds of the State Treasurer, Secretary and Commissary General;

Were severally read a third time.

*Resolved*, That they pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Pierce, from the standing committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act in amendment of the charter of the Concord railroad corporation," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

*Resolved*, That it pass, and its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Pierce, from the standing committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act in addition to the 49th chapter of the Revised Statutes," reported the same without amendment.

On motion of Mr. Pierce—

It was laid upon the table.

On motion of Mr. Hoskins—

The Senate resolved itself into a committee of the whole for the consideration of the bill, entitled "An act in amendment of the 5th section of the 39th chapter of the Revised Statutes.

[Mr. Warner in the Chair.]

On motion of Mr. Colby—

*Resolved*, That the committee now dissolve and that said bill be reported without amendment.

Mr. Warner, from the committee of the Whole, reported that they have, according to order, had under consideration the bill, entitled "An act in amendment of the fifth section of chapter 39 of the Revised Statutes of the State of New Hampshire," and have instructed him to report the same without amendment.

Which report was accepted.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

So the bill was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Warner, from the joint select committee appointed to wait upon the Hon. Samuel G. Berry and inform him of his election, and receive from him the customary bonds, reported that they had attended to that duty, have received the customary bond and have presented it to His Excellency the Governor, he has approved the same and it is now at the disposal of the Legislature.

Mr. Pease, from the standing committee on Claims, to whom was referred the resolution in favor of Zenas Clement, Jesse Carr and others, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

So the resolution was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

**A message from the House of Representatives by their Clerk :**

**"Mr. President—The House of Representatives have passed a resolution in favor of Robert Hale and others and a resolution in favor of William Fisk and others, in which they ask the concurrence of the Honorable Senate."**

**The foregoing resolutions from the House of Representatives:  
A resolution in favor of Robert Hale and others;  
A resolution in favor of William Fisk and others;  
Were read a first and second time.**

***Ordered*, That they be referred to the committee on Claims.**

**The Senate proceeded to the order of the day on bills with the following titles :**

**"An act to incorporate the Nashville and East Wilton railroad;"**

**"An act to incorporate the Northern railroad company;"**

**"An act to incorporate the Piscataquog railroad company."**

**On motion of Mr. Hoskins—**

***Resolved*, That the same be postponed to the next session of the Legislature.**

***Ordered*, That the Clerk notify the House of Representatives accordingly.**

**Mr. Colby, from the standing committee on the Judiciary, to whom was referred a resolution from the House, relating to Registers of Probate, reported the same without amendment.**

**On the question,**

**Shall it be read a third time?**

**It was decided in the affirmative.**

**Said resolution was accordingly read a third time.**

***Resolved*, That it pass.**

***Ordered*, That the Clerk notify the House of Representatives accordingly.**

**On motion of Mr. Warner—**

**The Senate proceeded to the consideration of the bill, entitled "An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire."**

**On the question,**

**Shall the bill be read a third time?**

**It was decided in the affirmative.**

**Said bill was accordingly read a third time.**

***Resolved*, That it pass and that its title be as aforesaid.**

***Ordered*, That the Clerk notify the House of Representatives accordingly.**

The Senate proceeded to the order of the day upon the following resolutions and bills with the following titles:

A resolution authorizing the Governor to appoint a chaplain for the State Prison and making an appropriation therefor;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow;

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the 5th section of chapter 225 of the Revised Statutes;"

"An act relating to Manufacturing corporations;"

"An act making appropriations for the militia;"

A resolution in favor of the Boscawen artillery company;

A resolution in favor of Ira B. Hoitt and others;

Which were severally read a third time.

*Resolved*, That they pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred "An address for the removal of certain officers therein named," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

It was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Swett, from the standing committee on Claims, to whom was referred the following resolutions, reported the same without amendment, to wit:

A resolution in favor of Robert Hale and others;

A resolution in favor of William Fisk and others.

On the question,

Shall said resolutions be read a third time?

It was decided in the affirmative.

Said resolutions were accordingly read a third time.

*Resolved*, That they pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Pease—

The Senate proceeded to the consideration of the bill entitled, "An act to incorporate the Great Falls and Conway Railroad."

Mr. Hoskins moved to postpone said bill until the next session of the Legislature.

On the question,

Shall the bill be thus postponed?

Mr. Pease demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Morrill, Colby, Hale, Brown, Hoskins, Carpenter, Smith, Swett and Warner—9.

Those who voted in the negative, were Messrs. Hatch, Pierce and Pease—3.

So the bill was postponed to the next session.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of a resolution in relation to the bonds of the State officers.

The House have passed a resolution authorizing the Governor and Council to appoint a committee of three persons annually to audit the accounts of the warden of the State Prison; a resolution in relation to the choice of representative from the district composed of Carroll, Nash and Sawyer's Location, Crawford's Purchase and Hart's Location; in which they ask the concurrence of the Honorable Senate.

The House concur with the Honorable Senate in the passage of a bill entitled, “An act in amendment of the fifth section of chapter thirty-nine of the Revised Statutes of the State of New Hampshire.”

The foregoing resolution sent up from the House of Representatives, authorizing the Governor to appoint a committee to audit the warden's account,

Was read a first and second time.

*Ordered*, That it be referred to the select committee on the State Prison.

The foregoing resolution sent up from the House of Representatives, in relation to the choice of a representative from the town of Carroll and other places,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Elections.

Mr. Hale, from the standing committee on Elections, to whom was referred a resolution in relation to the choice of a representative from Carroll and other places, reported the same without amendment.

On motion of Mr. Warner—

It was laid upon the table for the purpose of amendment.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to a resolution in favor of Ira B. Hoitt and others ; and in the adoption of their amendment to a bill entitled, "An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire."

On motion of Mr. Hoskins—

*Resolved*, That the Senate now have a recess till seven o'clock this evening.

### SEVEN O'CLOCK, P. M.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a resolution authorizing the printing and distribution of the final report of the State Geologist, and making an appropriation therefor; and a resolution in favor of William Carter, jr.; in which they ask the concurrence of the Honorable Senate."

The foregoing resolution sent up from the House of Representatives, in favor of William Carter, jr.,

Was read a first and second time.

On motion of Mr. Warner—

*Resolved*, That the rules of the Senate be so far suspended that said resolution now be read a third time without commitment.

Said resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The foregoing resolution sent up from the House of Representatives, in relation to the printing and distribution of the final report of the State Geologist,

Was read a first and second time.

*Ordered*, That it be referred to the committee on Education.

Mr. Warner, from the select committee on the State Prison, to whom was referred the resolution authorizing the Governor and Council to appoint a committee to examine and audit the accounts

of the warden of the State Prison, reported the following resolution:

*Resolved*, That said resolution be indefinitely postponed.

On the question,

Shall the resolution to postpone indefinitely be adopted?

It was decided in the affirmative.

So the resolution was indefinitely postponed.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Warner—

The Senate proceeded to the consideration of the resolution, regulating the places of holding town meetings in the classed towns of Carroll, Nash and Sawyer's Location, Crawford's Purchase and Hart's Location.

Mr. Warner moved to amend said resolution as follows:

In the 8th line, strike out "Crawford's Purchase" and insert "town of Carroll;"

In the 10th and 11th lines, strike out "the town of Carroll," and insert "Crawford's Purchase."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

The resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

The following resolution, laid upon the table by Mr. Hoskins, Senator from district No. 8, was read by the Clerk and unanimously adopted:

*Resolved*, That the thanks of this Senate be presented to the Honorable Titus Brown, for the courteous, impartial and dignified manner, in which he has discharged the duties of the chair during the present session.

To which the President replied—

*Senators*—The time of our separation is at hand. We are soon to bid each other adieu, and return to our several homes and friends and pursuits in life. But the pleasures of the kind and friendly intercourse we have here enjoyed, will not then be forgotten. We shall always remember, with pleasure, the spirit of

conciliation, the gentlemanly deportment, the harmony, the mutual respect and good will, which have here prevailed. I, certainly, shall not forget, I shall always remember, with gratitude as well as pleasure, the generous confidence which raised me to this high station, and the courtesy and kindness which have rendered its duties comparatively easy and pleasant. For all these manifestations of your good will, and for the flattering commendation you have been pleased to bestow upon me by the resolution you have just passed, I thank you—most sincerely do I thank you.

*Senators*—I wish you a pleasant journey to your homes, and a happy meeting with your friends. And, hereafter, whether you are engaged in the discharge of public duties as public men, or in the more private duties of domestic and social life, may the same fidelity, the same activity of effort and purity of purpose which you have here evinced, still characterize your conduct, adorn your characters, make better and happier all with whom you may associate, and serve in no small degree to strengthen and perpetuate our free institutions.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to the resolution, designating a central place for holding meetings for the election of a representative from the district composed of the town of Carroll, Nash and Sawyer’s Location, Crawford’s Purchase and Hart’s Location.”

Mr. Morrill, from the standing committee on Education, to whom was referred the resolution from the House, in relation to printing the final report of the State Geologist, reported the same without amendment.

Mr. Warner moved to amend said resolution as follows:

Strike out all after the resolving clause, and insert, “That the Secretary of State procure the printing of 600 copies of the final report of the Geological and Mineralogical Survey of this State, with the maps, plates and sections, and that the necessary maps, plates and sections be paid for from any money in the treasury not otherwise appropriated, and that the Governor with the advice of Council, shall decide what plates, maps and sections are necessary, and the Governor shall draw his warrant on the treasury for so much money as may be necessary therefor.

“Resolved, That five hundred copies be printed of the Geological report, to be had on sale at the same price as those sur-

nished for the State, provided they are subscribed for before their publication.

On the question,

Shall the foregoing amendment be adopted?

Mr. Hatch demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Morrill, Colby, Hale, Pierce, Pease, Brown, Hoskins, Carpenter, Smith, Swett and Warner—11.

Mr. Hatch voted in the negative—1.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Smith, from the joint committee on Engrossed Bills, reported that they had examined the following bills and resolutions, and find the same correctly engrossed, to wit:

"An act in favor of Jeremiah C. Tilton;"

"An act to annex Robert Hopkins of Windham to school district No. 5, in Derry;"

A resolution authorizing the State Treasurer to borrow forty thousand dollars;

A resolution in favor of Benaiah Cook;

A resolution in favor of Josiah B. Wiggan and Ira B. Philbrick;

A resolution in favor of Lucinda C. Given;

"An act to raise sixty thousand dollars for the use of the State;"

A resolution appropriating fifteen hundred dollars for the education of indigent deaf and dumb, and five hundred dollars for the education of the indigent blind;

A resolution in favor of Zenas Clement, Carlton & Harvey and Walker & Co.;

A resolution appropriating five hundred dollars for contingent expenses;

A resolution in favor of the Boscawen Artillery company."

A message was received from the House of Representatives, giving information that the Speaker of that body had signed the foregoing bills and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bills, and resolutions, and the same were delivered to the committee on En-

grossed Bills to be laid before the Governor for his approval and signature.

Mr. Smith, from the joint committee on Engrossed Bills, reported that they had presented to His Excellency the Governor, for his approval and signature, the foregoing acts and resolutions, by them reported to be correctly engrossed.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed a resolution, authorizing the Governor to apply the unexpended balance of the appropriation made at the present session, for the benefit of the indigent blind and partially blind persons of this State at the Asylum at Boston, to the education of the indigent deaf and dumb persons of this State at the Asylum at Hartford, in which they ask the concurrence of the Honorable Senate.”

The foregoing resolution from the House of Representatives, “authorizing the Governor to apply the unexpended balance of the appropriation made at the present session for the indigent blind and deaf and dumb,”

Was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Warner—

*Resolved*, That the rules of the Senate be so far suspended, that the same be read a third time at the present time without commitment.

The resolution was accordingly read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Smith, from the standing committee on Banks, to whom was referred the resolution relating to the Connecticut River Bank, reported the following resolution,

*Resolved*, That said-resolution be indefinitely postponed.

On the question,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

On motion of Mr. Colby—

*Resolved*, That when the Senate adjourns this afternoon it adjourn to meet at four o'clock to-morrow morning.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had examined the following bills, address and resolutions and find the same correctly engrossed.

"An act relating to Manufacturing corporations ;"

"An act in amendment of the charter of the Concord Railroad corporation ;"

"An act making appropriations for the Militia of this State, for the year one thousand eight hundred and forty-three ;"

"An address in favor of the removal of certain officers therein named."

A resolution in favor of Wm. Fisk, Currier & Hall, Porter & Rolfe, Franklin Evans and Joseph Robinson.

A resolution in favor of Geo. W. Ela ;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow ;

A resolution relating to Registers of Probate ;

A resolution in favor of James Burley and James Foss ;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown.

A resolution relating to the instruction of convicts in the State Prison.

A message was received from the House of Representatives, giving information that the Speaker of that body had signed the foregoing bills, address and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay the same before the Senate, for the signature of their President.

Thereupon the President of the Senate signed said bills, address and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and signature.

Mr. Colby, from the standing committee on Engrossed Bills, reported that they had presented the foregoing bills, address and resolutions, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to the resolution, directing the publication of the final report of the State Geologist, and making an appropriation therefor, with an amendment, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Hoskins—

*Resolved*, That the Senate concur with the House of Representatives in their amendment to said resolution.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed a resolution discharging the State Geologist from further services in that capacity, except so far as may be necessary to complete the printing of his final report, in which they ask the concurrence of the Hon. Senate.

The foregoing resolution sent up from the House of Representatives, discharging the State Geologist from further services in that capacity,

Was read a first and second time.

Mr. Hoskins moved that said resolution be indefinitely postponed.

On the question being put,

It was decided in the negative.

Mr. Hoskins, moved that the resolution be put upon its second reading for the purpose of amendment.

On the question being put,

It was decided in the affirmative.

So the resolution was put upon its second reading.

Mr. Hoskins moved to amend said resolution as follows :

Strike out all after the resolving clause, and insert instead thereof—

“That with the close of the printing of the present report of the State Geologist, the Geological survey of our State shall cease.”

But before the question was taken,

On motion of Mr. Colby—

It was laid upon the table.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following resolutions :

A resolution in favor of Wm. Carter, jr.;

A resolution in favor of Robert Hale, R. D. Mooers, Joel Frazier, Jacob C. Carter and Atkinson Webster;

A resolution in relation to the classification of Carroll, Nash & Sawyers Location, &c.;

A resolution in favor of Zenas Clement, Jesse Carr, Franklin Simonds, Josiah Stevens, 3d, and Bartholomew Smith.

A message was received from the House, giving information, that the Speaker of that body had signed the foregoing resolutions reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said resolutions, and the same were delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the committee on Engrossed Bills, reported that they had presented the aforesaid resolutions, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Colby—

The Senate proceeded to the consideration of the resolution, from the House, "discharging the State Geologist from further service in said capacity."

The question being upon the adoption of the amendment,

On the question,

Shall the amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Hoskins moved to amend said resolution as follows—

Strike out all after the resolving clause and insert instead thereof,

"That the Geological survey of this State be no further prosecuted, and the services of the State Geologist be dispensed with, except so far as may be necessary to complete the printing of his final Report."

On the question,

Shall the foregoing amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

**Ordered,** That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Warner—

The Senate adjourned.

SATURDAY, JULY 1, 1843.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives concur with the Hon. Senate in the adoption of their amendment to the resolution relating to the discharging of the State Geologist."

Mr. Smith, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the following bill and resolution, and find the same to be correctly engrossed:

"An act in addition to and in amendment of the Revised Statutes of the State of New Hampshire;"

A resolution authorizing the printing of the Geological and Mineralogical report;

A resolution authorizing the Governor to apply money for the education of the indigent deaf and dumb at Hartford;

A resolution relating to the Geological survey of the State.

A message was received from the House of Representatives, giving information that the Speaker of that body had signed the foregoing bill and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bill and resolution, and the same were delivered to the committee on Engrossed Bills, to be laid before His Excellency the Governor for his approval and signature.

Mr. Smith, from the joint committee on Engrossed Bills, reported that the foregoing act and resolutions by them found to be correctly engrossed, have been presented to the Governor for approval and signature.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Clarke of Atkinson, Wilson of Lee, Tilton of Sandbornton, Cook, Sceva of Andover, Dodge of New Boston, Tudor, Little, Jenness of Piermont and Perkins of Pittsburgh a committee, with such as the Honorable Senate may join, to wait upon His Excellency the Governor and inform him that the business of the present session being closed both branches of the Legislature are now ready to be adjourned to the last Wednesday of May next, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Hoskins—

*Resolved*, That the Senate concur with the House of Representatives in the appointment of a joint select committee to wait upon His Excellency the Governor and inform him that the business of the present session being closed, both branches of the Legislature are ready to be adjourned to the last Wednesday of May next.

*Ordered*, That Messrs. Swett, Pease and Morrill be joined to said committee on the part of the Senate.

*Ordered*, That the Clerk notify the House of Representatives accordingly.

Mr. Colby, from the joint committee on Engrossed Bills, reported that they had presented to His Excellency the Governor all the engrossed bills, resolutions and addresses which have passed both branches of the Legislature during the present session.

Mr. Swett, from the joint select committee appointed to wait upon His Excellency the Governor and inform him that both branches of the Legislature are now ready to be adjourned, reported that they had attended to the duty assigned them.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State :

*“ To the Senate and House of Representatives :*

I have approved all the acts and resolutions which you have passed at this session and presented for my consideration, and have been informed through your joint committee that the public business before you has been completed, and that you are ready now to be adjourned, I do therefore, by virtue of the authority in me vested, and in compliance with the request as communicated to me by your committee, adjourn this Legislature to the last Wednesday of May next.

As this will undoubtedly be the last executive communication I shall ever be called upon to make to any Legislature, I cannot fail to recur to many of the events of my administration. Some of the measures recommended have awakened much interest among the people, and elicited an able and patriotic discussion among their representatives. It is to be hoped that the best interest of the State will have been subserved by an adherence to the policy which I have thrice presented to the consideration of the Legislature. All, I trust, have been actuated in their course by a sense of public duty ; and whatever differences of opinion may have

arisen in the consideration of public measures, it should never lead to the formation of personal animosities.

We are sojourning here only for a short time, and we should so conduct in life as to meet the approbation of the Judge of all.

I shall ever hold each individual member of this Legislature in the most kind and grateful remembrance. My best wishes will attend you individually through this life, and may each of you have a safe journey to your homes and a happy interview with your families and friends, and when our labors on earth shall be ended, may we all find peace and happiness in heaven.

HENRY HUBBARD.

Council Chamber, July 1, 1843."

The President then declared the Senate adjourned to the last Wednesday of May next, at ten o'clock in the forenoon.

Attest—

HENRY E. BALDWIN, Clerk.



# INDEX.

---

|   |                              |
|---|------------------------------|
| Academy, West Point Military,                         | 85 86 87 102 116             |
| Address for the removal of certain military officers, | 89 99                        |
| “ “ “ officers therein named,                         | 109 127 134                  |
| Adjutant General, report of,                          | 78 107                       |
| Adjournment, time of,                                 | 53 74 76 80 87 139           |
| Alteration of names,                                  | 92 93 107 110 116            |
| Appropriations for militia,                           | 112 113 122 127 134          |
| “ “ contingent expenses,                              | 117 118 124 132              |
| “ “ printing Geological report                        | 129 134                      |
| “ “ deaf, dumb and blind,                             | 117 118 132 133 137          |
| Artillery in 30th regiment,                           | 68 72                        |
| “ officer in 3d regiment,                             | 81 82 84 85 86 96 97 103     |
| “ Dover,  | 92 93 97 100 103 112 113 121 |
| “ in 28th regiment,                                   | 92 93 97 100 103             |
| “ Boscawen,   | 112 113 122 127 132          |
| Assembling of Senate,                                 | 3                            |
| Assumption and repudiation of State debts,            | 105 106                      |
| Asylum for the Insane,                                | 73                           |
| Bagley, George W., estate of,                         | 102 104 110 116              |
| Bank Commissioners, reports of,                       | 59 101                       |
| “ Portsmouth,   | 68                           |
| “ Connecticut River,                                  | 73 133                       |
| Banks and banking, in relation to,                    | 95 99 100 103                |
| Beal, Samuel and others,                              | 60 67                        |
| Bell, Samuel D. and another,                          | 83 85 94 103                 |
| Bonds of Secretary, Treasurer and Commissary General, | 124 126                      |
| Boscawen Artillery,                                   | 112 113 122 127 132          |
| Brown, John and others,                               | 65                           |
| Burley, Gordon,                                       | 60 70 71 81 85 86 89         |
| “ James and another,                                  | 134                          |
| Carter, William, jr,                                  | 129 135                      |

|   |                        |
|---|------------------------|
| Carroll, Nash and Sawyer's Location, &c., representa- |                        |
| tive from,  | 128 129 131 135        |
| Chairman elected,                                     | 3                      |
| Chaplain of State Prison,                             | 112 114 119 127 134    |
| Clement, Zenas, Jesse Carr and others,                | 117 118 125 135        |
| "    Zenas and others,                                | 122 124 132            |
| Clerks chosen and qualified,                          | 46                     |
| Commissary General,                                   | 124 128                |
| Commissioners, reports of Bank,                       | 59 101                 |
| Concord Female Charitable Society,                    | 100 109                |
| Connecticut River Bank,                               | 73 133                 |
| Concord railroad corporation,                         | 122 124 134            |
| Contingent expenses, appropriation for                | 117 118 124 132        |
| Conventions of the two Houses,                        | 7 8 10 41 45 61 64 118 |
| Cooke, Benaiah,                                       | 105 106 110 115 132    |
| Counsellors, votes for,                               | 42 46                  |
| Courts of Probate in Carroll county,                  | 74 75 76 77            |
| Committee to report rules,                            | 448                    |
| "    standing,  | 54                     |
| "    "    joint,                                      | 55                     |
| "    on votes for Senators,                           | 5                      |
| "    to inform Governor of organization,              | 5 6                    |
| "    on votes for Governor,                           | 7 9                    |
| "    to inform Governor of his election,              | 9                      |
| "    on votes for Counsellors,                        | 42                     |
| "    to report joint rules,                           | 43                     |
| "    to assign committee rooms,                       | 43 44 45               |
| "    to procure printed rules,                        | 45 58                  |
| "    to inform Governor of election of Counsellors,   | 47 53                  |
| "    to fix on close of session,                      | 53 74 76 80 87 139     |
| "    to audit Treasurer's accounts,                   | 54                     |
| "    on Governor's message relating to New Jer-       |                        |
| sey resolutions,                                      | 54                     |
| "    to consider Governor's message,                  | 55 58 59               |
| "    to inform Secretary, Treasurer, Commissary       |                        |
| General and Public Printers of their e-               |                        |
| lection,  | 65 123                 |
| "    of conference in relation to amendment of        |                        |
| chapter 172 of the Revised Statutes,                  | 105 107 122            |
| "    to inform Warden of State Prison of his          |                        |
| election,   | 120 125                |
| "    to audit accounts of Warden,                     | 128 129                |
| "    to inform Governor of readiness to adjourn,      | 137 138                |

|  |                                     |
|--|-------------------------------------|
| Deaf, dumb and blind,  | 117 118 132 133 137                 |
| Derry and Windham, school districts in,                      | 91 110 115 132                      |
| Distribution of Judicial Reports,                            | 56 65 67 69 70 72 76 77 78          |
| Doorkeeper elected,  | 7                                   |
| Dover Artillery company,                                     | 92 93 97 100 103 112 113 121        |
| Eaton and Freedom, school districts in,                      | 92 102 104 115                      |
| Education, for the further encouragement of,                 | 109                                 |
| Ela, George W.,  | 117 118 134                         |
| Engrossed Bills, 55 70 72 73 77 78 85 86 89 96 97 99 100 103 | 116 132 134 135 136 137 138         |
| Exeter Savings Bank, trustees of,                            | 79                                  |
| Ferrin, James,   | 92 102 104 115                      |
| Fine of General Andrew Jackson,                              | 56 65 66 67 71 72 73                |
| Fisk, William and others,                                    | 126 127 134                         |
| Folsom, Isaac L. and others,                                 | 112 113 119 127 134                 |
| Freedom and Eaton, school districts in,                      | 92 102 104 115                      |
| Geological Survey,   | 87 135 136 137                      |
| Given, Lucinda C.,   | 105 106 111 122 132                 |
| Governor, votes for,   | 7 8                                 |
| " inauguration of,   | 10                                  |
| " messages of,   | 10 41 54 55 56 49 60 62 65 72 78 79 |
|  | 81 87 138                           |
| Great Falls and Conway railroad,                             | 81 82 94 102 127                    |
| Hale, Robert and others,                                     | 126 127 135                         |
| Hibbard, Harry and others,                                   | 112 114 119 127 134                 |
| Hoitt, Ira B. and others,                                    | 112 114 119 123 127 129             |
| Hopkins, Robert,   | 92 110 115 132                      |
| House, organization of,                                      | 5                                   |
| Imprisonment of citizens of this State in other States,      | 112 113 120                         |
| Insane Asylum,   | 73                                  |
| " " attendants therein, relating to,                         | 96                                  |
| Inventories, providing for the return of,                    | 83 88 98 103                        |
| Jackson, Gen. Andrew, fine of,                               | 56 65 66 67 71 72 73                |
| Jailer, Revised Statutes for,                                | 82 84                               |
| Judicial reports, distribution of,                           | 56 65 67 69 70 72 76 77 78          |
| Judiciary, in relation to                                    | 89 99 100 104 115                   |
| Keeper of State House,                                       | 93 95 98 103                        |

|  |                              |
|--|------------------------------|
| Librarian,   | 70 72 83 85 86 89            |
| Livermore, Sarah,  | 100 102                      |
| Manufacturing corporations, relating to,                   | 112 113 121 127 134          |
| McDaniel, George and another,                              | 90 91 93 95 97               |
| Militia, appropriations for,                               | 112 113 122 127 134          |
| Money raised for the use of the State,                     | 112 114 117 124 132          |
| Nashville and East Wilton railroad,                        | 112 114 126                  |
| New Jersey, resolutions of Assembly of,                    | 54 90                        |
| Northern railroad,   | 112 114 126                  |
| Officers, removal of,                                      | 89 99 109 127 134            |
| Organization of Senate,                                    | 3 4                          |
| “ of House,  | 5                            |
| Piscataquog railroad,                                      | 112 114 126                  |
| Postponement, indefinite,                                  | 72 91 92 94 120 121 130 133  |
| “ to next session,   | 117 126 128                  |
| Portsmouth Bank  | 68                           |
| Prayers during the session,                                | 44                           |
| President elected,   | 3                            |
| “ reply of, to vote of thanks,                             | 130                          |
| Printer elected,   | 64                           |
| Probate Courts in Carroll county,                          | 74 75 76 77                  |
| Quartermaster General, report of,                          | 78 107                       |
| Railroad, Great Falls and Conway,                          | 81 82 102 127                |
| “ Northern,  | 112 114 126                  |
| “ Piscataquog,   | 112 114 126                  |
| “ Nashville and East Wilton,                               | 112 114 126                  |
| “ Concord,   | 122 124 134                  |
| Recess,  | 83 111 129                   |
| Registers of Probate, relating to,                         | 117 126 134                  |
| Report of State Geologist, printing and distribution of,   | 129 131 132 134 137          |
| Revised Statutes, relating to engrossing of amendments to, | 76 80                        |
| “ “ in amendment of 185th chap. of                         | 83 85 86 89 137              |
| “ “ in addition to and amendment of chap.                  | 66 68 69 73                  |
| “ “ 172 of   | 106 107                      |
| “ “ in amendment of chap. 150 and addition to              | 69 71 72 81 82 95 97 105 122 |
| “ “ chap. 155 of   | 74 75 76 77 89               |

|  |                             |
|--|-----------------------------|
| Revised Statutes, in addition to chap. 145 of                | 74 75 88 91                 |
| “ “ in amendment of the 23d chap. of                         | 74 75 77 98                 |
| “ “ in amendment of Sec. 4 & 5 of the 46th<br>chap. of       | 77 82                       |
| “ “ in amendment of chap. 28 of                              | 83 84 85                    |
| “ “ in amendment of the 215th chap. of                       | 85 86 94                    |
| “ “ in amendment of the 222d chap. of                        | 85 86 94                    |
| “ “ in amendment of chap. 73 of                              | 89 99                       |
| “ “ in amendment of chap. 71 of                              | 92 104                      |
| “ “ in addition to and amendment of title XII<br>chap. 76 of | 92 93 96 97 102             |
| “ “ in amendment of chap. 173 of                             | 100                         |
| “ “ in amendment of 5th sec. of chap. 39 of                  | 101                         |
|  | 121 125 128                 |
| “ “ in amendment of chap. 39 of                              | 105 107 115                 |
| “ “ in amendment of the 44th sec. chap. 140 of               | 105                         |
| “ “ in amendment of chap. 228 of                             | 105 108 115 122             |
| “ “ in addition to 49th chap. of                             | 112 125                     |
| “ “ in amendment of chap. 13 of                              | 112 113 120 127             |
| “ “ to amend and explain 3d sec. in 225th<br>chap. of        | 112 113 120 127             |
| “ “ in amendment of 146th chap. of                           | 112 113                     |
|  | 121 126 129                 |
| “ “ in amendment of 5th sec. of chap. 100 of                 | 112 113                     |
| “ “ in amendment of chap. 117 of                             | 112 113 116                 |
| Rules and regulations,                                       | 4                           |
| “ joint,   | 4 43 51                     |
| Rymes, William,  | 66 67 70                    |
| School districts in Freedom and Eaton,                       | 92 102 104 115              |
| “ “ in Windham and Derry,                                    | 92 110 115 132              |
| School returns, selectmen to make,                           | 85 86 91                    |
| Secretary of State,  | 61 124 128                  |
| Senate, organization of,                                     | 3 4                         |
| Senators, names of   | 3 41 42 43 54               |
| “ votes for,   | 4 5 6 41 42                 |
| Session, close of,   | 53 74 76 80 87 139          |
| Small pox, to prevent,                                       | 112                         |
| State Prison, warden of,                                     | 41 43 93 98 118 125 128 129 |
| “ “ chaplain of,   | 112 114 119 127 134         |
| State House, keeper of,                                      | 93 95 98 103                |
| State debts, assumption and repudiation of,                  | 105 106                     |

|  |                             |
|--|-----------------------------|
| State Geologist, printing and distribution of report of  | 129 131                     |
|  | 132 134 137                 |
| Stephenson, Benjamin, and another,   | 92 93 101 116               |
| Thanks to President,   | 130                         |
| Tilton, Jeremiah C.  | 105 106 110 115 132         |
| Treasurer elected,   | 61                          |
| " estimate of,   | 81                          |
| " to borrow money,   | 112 114 117 132             |
| " report of, filed with Secretary,   | 123 124 128                 |
| Unfinished business of last session,   | 55 65 68 73                 |
| Votes for Governor,  | 7 8                         |
| " " Counsellors,   | 42 46                       |
| " " Senators,  | 4 5 6 41 42                 |
| Warden of State Prison,  | 41 43 93 98 118 125 128 129 |
| West Point Military Academy,   | 85 86 87 102 116            |
| Wiggin, Josiah B. and another,   | 105 106 110 115 132         |
| Windsor and Bennington, elections in,  | 85 86-91                    |
| Windham and Derry, school districts in,  | 91 110 115 132              |
| Yeas and nays on the third reading of an act entitled "An act in amendment of chapter 173 of the Revised Statutes,"  | 100                         |
| " " on the motion to refer the bill entitled "An act in addition to chap. 226 of the Revised Statutes" to the committee on the Judiciary,                  | 106                         |
| " " on the motion to amend said bill,  | 108                         |
| " " on the further motion to amend the same,   | 109                         |
| " " on the motion to lay said bill upon the table,   | 109                         |
| " " on the motion to put the bill entitled "An act in addition to chap. 226 of the Revised Statutes" upon its second reading for the purpose of amendment, | 115                         |
| " " on the passage of said bill,   | 115                         |
| " " on the motion to postpone until next session the bill entitled "An act to incorporate the Great Falls and Conway railroad,"                            | 128                         |
| " " on the motion to amend the resolution regulating the printing and distribution of the final report of the State Geologist,                             | 132                         |

**JOURNAL**

**OF THE**

**HOUSE OF REPRESENTATIVES**

**OF THE**

**STATE OF NEW-HAMPSHIRE,**

**AT THEIR SESSION**

**HOLDEN AT THE CAPITOL IN CONCORD,**

**COMMENCING WEDNESDAY, JUNE 7, 1843.**

**PUBLISHED BY AUTHORITY.**

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Secretary of the Board  
of Agriculture

**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES,**  
**JUNE SESSION, 1843.**

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**WEDNESDAY, JUNE 7, 1843.**

A quorum of the whole number of the Representatives elected from the several towns and districts in the State of New Hampshire, being convened in the capitol at Concord, in said State, on the first Wednesday of June, A. D. 1843, His Excellency the Governor, attended by the Honorable, the Council, came into the Representatives' Hall, and the following gentlemen presented their credentials and were duly qualified as members of the House of Representatives, agreeably to the provisions of the Constitution, namely:

**FROM ROCKINGHAM COUNTY.**

|                       |                       |
|-----------------------|-----------------------|
| Atkinson,             | Greenleaf Clarke.     |
| Brentwood,            | Benjamin Veazey.      |
| Candia,               | James Smith.          |
| Chester,              | Jesse J. Underhill,   |
|                       | William Brown, jr.    |
| Danville and Sandown, | Nathaniel Bradley.    |
| Deerfield,            | Stephen Prescott,     |
|                       | Samuel S. Meloon.     |
| Derry,                | J. T. G. Dinsmoore,   |
|                       | James Taylor, 2d.     |
| Epping,               | Nathaniel Batchelder. |
| Exeter,               | Woodbridge Odlin,     |
|                       | Charles Conner.       |
| Greenland,            | Thomas Brackett, jr.  |
| Hampstead,            | Joseph P. Shannon.    |

Hampton,  
Kensington,  
Kingston,  
Londonderry,  
Newington,  
New Market,  
North Hampton,  
Northwood,  
Nottingham,  
Plaistow,  
Portsmouth,

Raymond,  
Seabrook,  
Stratham,  
Windham,

Simon Towle.  
John Nudd.  
Calvin Thayer.  
Cyrus Nesmith.  
Hanson Hoit.  
John M. Towle.  
John Leavitt.  
David Furber.  
James H. Butler.  
Stephen Badger.  
Samuel Cleaves,  
Ichabod Goodwin,  
John Knowlton,  
Charles W. Brewster,  
James W. Emery,  
Joseph Wiggin.  
Benjamin B. Gilman.  
Moses Eaton, jr.  
James Foss.  
Theodore Dinsmoor.

#### FROM STRAFFORD COUNTY.

Barrington,

Dover,

Durham,  
Farmington,  
Lee,  
Madbury,  
Middleton,  
New Durham,  
Somersworth,

Rochester,

Strafford,

True W. McDaniel,  
Daniel Boody.  
Andrew Peirce,  
Nathaniel Jenness,  
Horace Clark.  
Mark Willey.  
Mark Demeritt.  
Samuel G. Wilson.  
Samuel Meserve.  
David Stevens, jr.  
Samuel Downing, jr.  
Daniel G. Rollins,  
Mark Noble,  
William Plumer.  
Stephen M. Mathes,  
Jacob Smart.  
Stephen Young,  
Andrew D. Loughton.

#### FROM BELKNAP COUNTY.

Alton,

Joseph Sleeper,  
Richard Roberts.

|                |                      |
|----------------|----------------------|
| Barnstead,     | John Walker,         |
| Centre Harbor, | Enos George.         |
| Gilmanton,     | Timothy Perkins.     |
|                | Otis French,         |
|                | Daniel G. Ladd,      |
|                | Nahum Wight.         |
| Gilford,       | Ephraim Mallard,     |
|                | Joseph Sleeper.      |
| Meredith,      | Joseph B. Tilton,    |
|                | Bradbury Robinson.   |
| New Hampton,   | Ebenezer Fisk.       |
| Sandbornton,   | Alexander H. Tilton, |
|                | Ebenezer Brown.      |

**FROM CARROLL COUNTY.**

|                     |                       |
|---------------------|-----------------------|
| Albany and Chatham, | Chester Parrish.      |
| Brookfield,         | William S. Cate.      |
| Conway,             | Tobias A. Hanson.     |
| Eaton,              | Robinson Blaisdell.   |
| Effingham,          | Abraham Drake.        |
| Freedom,            | John Lord.            |
| Moultonborough,     | Simon Drake.          |
| Ossipee,            | Isaac Thurston,       |
|                     | John Smith, jr.       |
| Sandwich,           | John S. Quimby,       |
|                     | Stephen Beede.        |
| Tamworth,           | Timothy Cook.         |
| Tuostonborough,     | Abel Haley.           |
| Wakefield,          | William Sawyer, jr.   |
| Wolfborough,        | George W. G. Whitton, |
|                     | A. D. Avery.          |

**FROM MERRIMACK COUNTY.**

|             |                     |
|-------------|---------------------|
| Allenstown, | Charles Rowell.     |
| Andover,    | Enoch F. Sceva.     |
| Boscawen,   | Abiel R. Chandler,  |
|             | Nathan Pearson, jr. |
| Bow,        | James Morgan.       |
| Bradford,   | Bartholomew Smith.  |
| Canterbury, | Andrew Taylor.      |
| Chichester, | Nathaniel Seavey.   |

Dunbarton,  
 Epsom,  
 Franklin,  
 Henniker,  
 Hooksett,  
 Loudon,  
 Newbury,  
 Northfield,  
 Pittsfield,  
 Salisbury,  
 Sutton,  
 Warner,  
 Wilmot,

Josiah F. Hoyt.  
 John Griffen.  
 Jeremiah F. Daniell.  
 Micah Howe.  
 Richard H. Ayer.  
 John Batchelder.  
 Stephen B. Peaslee.  
 Archibald S. Clark.  
 William Knowlton.  
 Cyrus Gookin.  
 Asa Page.  
 Harrison D. Robertson,  
 Robert Thompson.  
 Wells Carrier.

#### FROM HILLSBOROUGH COUNTY.

Amherst,  
 Antrim,  
 Bedford,  
 Bennington & Windsor,  
 Brookline,  
 Deering,  
 Francesstown,  
 Goffstown,

Greenfield,  
 Hancock,  
 Hillsborough,

Hollis,  
 Hudson,  
 Lyndeborough,  
 Litchfield,  
 Manchester,

Mason,  
 Merrimack,  
 Milford,  
 Mont Vernon,  
 Nashua,

David Stewart.  
 Samuel Fletcher.  
 William Patten.  
 Amos Whittemore.  
 Alpheus Shattuck.  
 John Wilkins.  
 David Atwood.  
 Noyes Poor,  
 Eliphelet Richards.  
 Zebediah Peavey.  
 Ebenezer Ware, jr.  
 John Atwood,  
 Amos Flint.  
 William Merrill.  
 William Hadley.  
 Asa Manning.  
 Moses Chase.  
 Daniel Clark,  
 James M. Morrill,  
 George F. Judkin,  
 David A. Bunton.  
 Samuel Smith, jr.  
 Leonard Walker.  
 Daniel Putnam.  
 Zephaniah Kittridge, jr.  
 Josephus Baldwin.

|                       |                     |
|-----------------------|---------------------|
| Nashville,            | William Boardman,   |
|                       | Albert McKean.      |
| New Ipswich,          | John Preston.       |
| New Boston,           | Solomon Dodge, jr.  |
| Pelham,               | Joshua Atwood.      |
| Peterborough,         | William Follansbee, |
|                       | Alexander Robbe.    |
| Sharon,               | Samuel Nay.         |
| Temple,               | Timothy W. Smith.   |
| Weare,                | Jonathan G. Colby,  |
|                       | Daniel Paige, jr.   |
| Wilton,               | Oliver Barrett.     |
| Windsor & Beemington, | Joseph Chapman.     |

FROM CHESHIRE COUNTY.

|               |                       |
|---------------|-----------------------|
| Alstead,      | Ansel Glover.         |
| Chesterfield, | Ara Hamilton.         |
| Dublin,       | Moses Marshall.       |
| Gilsum,       | Eliphalet K. Webster. |
| Jaffrey,      | John Felt.            |
| Keene,        | Isaac Sturtevant,     |
|               | Phineas Handerson.    |
| Marlborough,  | Amos Cummings, jr.    |
| Marlow,       | Allen Giffin.         |
| Nelson,       | Isaac White.          |
| Richmond,     | Kendall Fisher.       |
| Rindge,       | Levi Howe.            |
| Roxbury,      | Reuben Phillips.      |
| Sullivan,     | Charles F. Wilson,    |
| Surry,        | George Crehore.       |
| Swanzy,       | Joseph Barber,        |
|               | Lyman Parker.         |
| Troy,         | John W. Bellows.      |
| Walpole,      | Edwin Hosmer,         |
|               | Henry S. Tudor.       |
| Westmoreland, | Tileston A. Barker.   |
| Winchester,   | Hosea Pierce.         |

FROM SULLIVAN COUNTY.

|              |                   |
|--------------|-------------------|
| Acworth,     | Edward Woodbury.  |
| Charlestown, | Benjamin Challis. |

Claremont,

Cornish,  
Croydon,  
Goshen,  
Grantham,  
Langdon,  
Lempster,  
Newport,

Plainfield,  
Springfield,  
Unity,  
Washington,  
Wendell,

Philander C. Freeman,  
Alexander Graham,  
Horace P. Handerson,  
Joseph Wood.  
Alexander Barton.  
John Gunnison.  
William C. Smith.  
Elisha Garfield.  
Martin Beckwith.  
Amos Little,  
Silas Metcalf.  
David Morgan.  
Joel Whittemore.  
Harvey Huntoon.  
Thomas Laws.  
Moses F. Knowlton.

#### FROM GRAFTON COUNTY.

Alexandria,  
Bath,  
Benton,  
Bethlehem,  
Bridgewater,  
Bristol,  
Campton,  
Canaan,  
Danbury,  
Dorchester,  
Enfield,  
Franconia & Lincoln,  
Grafton,  
Groton,  
Hanover,

Haverhill,

Hebron,  
Hill,  
Holderness,  
Landaff,  
Lebanon,

Lisbon,

James Crawford.  
Harry Hibbard.  
Moses Whitcher.  
Benaiah Bean.  
Robert Sargeant.  
Levi Bartlett,  
Benjamin B. Dearborn.  
James Arven.  
William S. Curtice.  
Samuel Cheever.  
Paul Burnham.  
Orin Garnsey.  
Edward E. Follansbee.  
Milton Holden.  
Agrippa Dow,  
Dixie Crosby.  
Samuel Swasey,  
Eber Eastman.  
John C. Hammond.  
Darwin Forbes.  
David H. Cox.  
John Poor.  
Elisha P. Liscomb,  
Robert Kimball  
Amasa Bowles.

|                        |                     |
|------------------------|---------------------|
| Littleton,             | Richard W. Peabody, |
| Lyme,                  | Josiah Kilburn.     |
| Orange,                | Cyrus Skinner.      |
| Orford,                | James Clough.       |
| Piermont,              | Edward M. Bissell.  |
| Plymouth,              | Woodbury Jenness.   |
| Rumney,                | Joseph Fifield.     |
| Thornton,              | Otis Whitney.       |
| Warren,                | George W. Durgin.   |
| Wentworth,             | William Clough.     |
| Woodstock & Ellsworth, | Woleat Dana.        |
|                        | David R. Buzzell.   |

FROM COOS COUNTY.

|  |                        |
|--|------------------------|
| Bartlett,  | Elisha Stokes.         |
| Berlin, Gorham & Shelburne,  | John Morse.            |
| Carroll, Nash & Sawyer's Location, Hart's Location & Crawford's Grant, | Samuel Lawrence.       |
| Colebrook,   | Samuel Drown.          |
| Columbia,  | Samuel G. Bishop, jr.  |
| Dalton,  | Aaron Ballou.          |
| Jackson & Pinkham's Grant,   | Abiel L. Eastman.      |
| Jefferson,   | Joseph Meserve.        |
| Milan,   | Amos Green.            |
| Pittsburg, Clarksville, Dixville,                                      |                        |
| Millsfield & Erroll,   | Nathaniel Perkins, jr. |
| Stewartstown,  | Hiram Martin.          |
| Stratford & Northumberland,  | David Ross.            |
| Whitefield,  | John Burns.            |

His Excellency the Governor and the Honorable Council there withdrew.

The House was called to order by Albert G. Allen, Assistant Clerk of the House last year.

On motion of Mr. Hibbard—

The House proceeded to the choice of a Chairman, and Bartholomew Smith of Bradford was elected, and took the chair accordingly.

On motion of Mr. Kimball of Lebanon—

The House proceeded to the choice of Speaker.

On the first balloting the Chairman announced the state of the vote, as follows:

|                             |      |
|-----------------------------|------|
| Whole number of votes cast, | 222  |
| Necessary to a choice,      | 112  |
| Greenleaf Clarke has        | 1    |
| Phineas Handerson has       | 1    |
| Bartholomew Smith has       | 1    |
| Richard H. Ayer has         | 2    |
| Harry Hibbard has           | 3    |
| Nahum Wight has             | 4    |
| Andrew Peirce has           | 73   |
| Samuel Swasey has           | 137; |

And Hon. Samuel Swasey was accordingly declared elected Speaker.

Mr. Swasey on taking the Chair addressed the House as follows:

*Gentlemen:* I am truly sensible of the honor conferred, and the obligations laid upon me as the presiding officer of this House. For the honor, I beg you to accept my cordial thanks, and assurance that I shall not forget the obligations placed upon me, but that every effort I can make, shall be honestly made, to discharge those obligations. The experience I have had of the duties of the chair, has made me, I confess, rather distrustful than confident of my abilities to perform them, in all cases, acceptably; and had I not the fullest confidence, gentlemen, in your kindness and courtesy, and in your ability to afford assistance to me when necessary, prudence would dictate to me the propriety of altogether declining the attempt to discharge those duties. The courtesy, kindness and good order that prevail in the New Hampshire Legislature have become proverbial. I hope that in this respect our good name will remain untarnished, and that we shall all, gentlemen, in all our doings here as legislators, "stand to and abide by" one only principle of action, "the greatest good to the greatest number," as provided for and contemplated in a strict, plain and common sense construction of the constitution of our government.

On motion of Mr. Barker—

The House proceeded to the choice of Clerk.

On the first balloting the Speaker announced the state of the votes as follows:

|                             |     |
|-----------------------------|-----|
| Whole number of votes cast, | 208 |
| Necessary to a choice,      | 105 |
| Nahum Wight has             | 1   |
| Alexander Barton has        | 1   |
| Hamilton Hutchins has       | 1   |

Mark Noble has 1  
 George Wadleigh has 51  
 Albert G. Allen has 153;  
 And Albert G. Allen was accordingly declared elected Clerk.

On motion of Mr. Barrett—

The House proceeded to the choice of Assistant Clerk.

On the first balloting the Speaker announced the state of the votes as follows:

|   |      |
|---|------|
| Whole number of votes cast,                                       | 200  |
| Necessary to a choice,  | 101. |
| Albert G. Allen has   | 1    |
| Joseph S. Neal has  | 1    |
| Samuel Clark has  | 1    |
| Jeremiah Clough has   | 2    |
| Allen P. Dudley has   | 3    |
| Hamilton Hutchins has   | 46   |
| Lewis Smith has   | 144; |
| And Lewis Smith was accordingly declared elected Assistant Clerk. |      |

A message from the Senate by their Clerks:

“ Mr. Speaker—I am directed to inform the House of Representatives that the Senate have assembled, have elected Honorable Titus Brown, President; Henry E. Baldwin, Clerk, and Moody Currier Assistant, Clerk, and are ready to proceed to the business of the session.

The Senate have passed a resolution, adopting the joint rules of the two branches of the Legislature for the year 1842, until otherwise ordered, in which they ask the concurrence of the House.”

The House proceeded to the consideration of the foregoing resolution which came down from the Honorable Senate.

On the question,

Will the House concur with the Senate in the adoption of said resolution?

It was decided in the affirmative.

So the House concurred with the Senate in the adoption of said resolution.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Colby of Weare—

*Resolved*, That information be given to the Honorable Senate that the House of Representatives have assembled, have elected

Hon. Samuel Swasey Speaker, Albert G. Allen Clerk, and Lewis Smith Assistant Clerk, and are now ready to proceed to the business of the session.

*Ordered*, That the Clerk communicate the same to the Honorable Senate.

On motion of Mr. Atwood of Pelham—

*Resolved*, That a committee be appointed to nominate two suitable persons as Doorkeepers of the House for the present session.

*Ordered*, That Messrs. Atwood of Pelham, Clarke of Atkinson and Bissell be the committee.

On motion of Mr. Smith of Bradford—

*Resolved*, That the rules adopted at the last annual session of the Legislature for the government of the House be adopted for the present session until otherwise ordered.

On motion of Mr. Wight—

*Resolved*, That when the House adjourn in the forenoon, they adjourn to meet again at three o'clock in the afternoon, and when they adjourn in the afternoon they adjourn to meet again at ten o'clock the next morning, until otherwise ordered.

On motion of Mr. Haley of Tufstonborough—

*Resolved*, That a committee of three be appointed on the part of the House, with such as the Honorable Senate may join, to wait on His Excellency the Governor, and inform him that quorums of both branches of the Legislature have assembled, are organized and are ready to receive any communication he may be pleased to make.

*Ordered*, That Messrs. Smith of Bradford, Burns and Clark of Manchester be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Nay—

The House adjourned.

---

## AFTERNOON.

On motion of Mr. Wight—

*Resolved*, That a committee be appointed to prepare and report rules for the government of the House the present session.

*Ordered*, That Messrs. Wight, Hibbard and Butler be the committee.

On motion of Mr. Barker—

*Resolved*, That the House are ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, the Secretary of State came in and laid before the Convention the returns of votes for Governor from the several towns and districts in this State, and also the returns of votes for Counsellors from the several Counsellor districts in this State.

On motion of Mr. Colby of the Senate—

The Convention proceeded to open, read and record the returns of votes for Governor from the several towns and districts in this State, and completed the same.

On motion of Mr. Hoskins of the Senate—

*Resolved*, That a committee be appointed to receive and sort the votes for Governor, count and cast their numbers and report thereon.

*Ordered*, That Messrs. Hoskins of the Senate, Downing and Tudor of the House be the committee.

On motion of Mr. Warner of the Senate—

The Convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Peirce of Dover—

*Resolved*, That a select committee be appointed on the part of the House, with such as the Senate may join, to prepare and report joint rules for the government of the two Houses the present session.

*Ordered*, That Messrs. Peirce of Dover, Foss and Thompson be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Colby—

*Resolved*, That a committee of three be appointed to wait on

the several reverend clergymen who may be members of the House, and invite them to officiate as chaplains of the House during the present session, and that prayers be attended in the Representatives' Hall at a quarter before ten in the morning of each day during the session.

*Ordered*, That Messrs. Colby of Weare, Willey and Cook of Tamworth be the committee.

Mr. A. submitted the following resolution:

*Resolved*, That a select committee of ten be appointed, with such as the Senate may join, to consider the expediency of inviting the President of the United States and his Cabinet, to visit the capital of New Hampshire during their visit to New England the present month, and that it be the duty of said committee to report as soon as may be.

The question being upon the adoption of said resolution;

On motion of Mr. Hibbard—

*Resolved*, That the resolution lie upon the table.

On motion of Mr. Peavey—

The House adjourned.

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## THURSDAY, JUNE 8, 1843.

William Goss of Rye, Thomas E. Oliver of New Castle, John H. Varney of Milton, Caleb Todd of Hinsdale, Jacob Taylor of Stoddard, Henry Kingman of Winchester, Alfred Jewell of South Hampton, and Enoch S. French of East Kingston, having been duly qualified as members of the House from said towns respectively, appeared and took their seats.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, appointing a joint select committee to wait upon His Excellency the Governor and inform him of the organization of the Legislature, and have on their part joined Mr. Warner.

I am directed to inform the House of Representatives that vacancies exist in Senatorial districts No. 4, No. 5 and No. 9, and that Isaac Hale and James Cochran are the two highest candidates in district No. 4, and that Andrew Pierce, jr. and Jeremiah King-

man are the two highest candidates in district No. 5, and that Elijah Carpenter and James Batcheller are the two highest candidates in district No. 9."

On motion of Mr. Colby—

*Resolved*, That the House are ready to meet the Senate in Convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution,

Mr. Hoskins of the Senate, from the joint select committee, to whom were referred the returns of votes for Governor, given in on the second Tuesday of March, A. D. 1843, in the several towns and districts in this State, with instructions to sort and count the same, cast their numbers, and report thereon,

### REPORTED—

|  |        |
|--|--------|
| That the whole number of votes legally and constitutionally returned, is | 44,583 |
| Necessary to a choice,   | 22,292 |
| Estimated as scattering,   | 83     |
| For Daniel Hoit,   | 3,402  |
| For John H. White,   | 5,497  |
| For Anthony Colby,   | 12,551 |
| For Henry Hubbard,   | 23,050 |

And Henry Hubbard is duly elected Governor of the State of New Hampshire for the ensuing political year.

Your committee find no return from the town of Manchester, in the county of Hillsborough.

On motion of Mr. Colby of the Senate—

*Resolved*, That said report be accepted.

On motion of Mr. Hoskins of the Senate—

The convention rose and the Senate withdrew.

## IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Atwood of Hillsborough—

*Resolved*, That a select committee of ten be appointed on the part of the House, with such as the Senate may join, to wait upon His Excellency the Governor elect, and inform him of his election as Governor of the State of New Hampshire for the ensuing political year, and that the Legislature will be ready to receive any communication he may be pleased to make.

*Ordered*, That Messrs. Atwood of Hillsborough, Oliver, Peirce of Dover, Tilton of Sandbornton, Haley, Rowell, Glover, Huntoon, Crosby and Drown be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Ayer moved that the resolution providing for the appointment of a joint select committee, to inquire into the expediency of inviting the President of the United States and his Cabinet to visit the capital of New Hampshire during the present month, be now taken from the table and considered.

And the question being put,

Shall said resolution be taken from the table and considered?

Mr. Ayer demanded the yeas and nays.

Those who voted in the affirmative are, Messrs.

|                        |                     |
|------------------------|---------------------|
| Brown of Chester       | Mathes              |
| Odlin                  | Roberts             |
| Conner                 | French of Gilmanton |
| Thayer                 | Wight               |
| Cleaves                | Hanson              |
| Goodwin                | Blaisdell           |
| Knowlton of Portsmouth | Beede               |
| Brewster               | Haley               |
| Emery                  | Sawyer              |
| Wiggin                 | Ayer                |
| McDaniel               | Stewart             |
| Peirce of Dover        | Morrill             |
| Jenness of Dover       | Judkin              |
| Clark of Dover         | Buntin              |
| Rollins                | Putnam              |
| Plumer                 | Baldwin             |

|                      |                        |
|----------------------|------------------------|
| Hamilton             | Graham                 |
| Sturtevant           | Handerson of Claremont |
| Handerson of Keene   | Wood                   |
| Crehore              | Garfield               |
| Hosmer               | Bartlett               |
| Tudor                | Kimball                |
| Pierce of Winchester | Skinner                |
| Challis              | Bissell                |
| Freeman              | Jenness of Piermont    |

Those who voted in the negative are, Messrs:

|                         |                          |
|-------------------------|--------------------------|
| Clarke of Atkinson      | Quimby                   |
| Veazey                  | Cook                     |
| Smith of Candia         | Rowell                   |
| Underhill               | Chandler                 |
| Bradley                 | Pearson                  |
| Prescott                | Morgan of Bow            |
| Meloon                  | Smith of Bradford        |
| Taylor of Derry         | Taylor of Canterbury     |
| Brackett                | Seavey of Chichester     |
| Shannon                 | Hoyt of Dunbarton        |
| Towle of Hampton        | Griffin                  |
| Hoit of Newington       | Howe of Henniker         |
| Towle of New Market     | Batchelder of Loudon     |
| Leavitt                 | Clark of Northfield      |
| Furber                  | Knowlton of Pittsfield   |
| Badger                  | Robertson                |
| Gilman                  | Thompson                 |
| Eaton                   | Currier                  |
| Dinsmoor of Windham     | Fletcher                 |
| Young                   | Patten                   |
| Laighton                | Whittemore of Bennington |
| Sleeper of Alton        | Wilkins                  |
| Walker of Barnstead     | Atwood of Frankestown    |
| George                  | Richards                 |
| Tilton of Meredith      | Ware                     |
| Tilton of Sandbornton   | Atwood of Hillsborough   |
| Brown                   | Manning                  |
| Drake of Moultonborough | Chase                    |
| Thurston                | Kittredge                |
| Smith of Ossipee        | Boardman                 |

|                           |                       |
|---------------------------|-----------------------|
| McKean                    | Hibbard               |
| Preston                   | Sargent.              |
| Smith of Temple           | Dearborn              |
| Colby                     | Curtis                |
| Paige of Weare            | Garnsey               |
| Glover                    | Follansbee of Grafton |
| Marshall                  | Dow                   |
| Webster                   | Crosby                |
| Felt                      | Eastman of Haverhill  |
| Cummings                  | Forbes                |
| White                     | Liscomb               |
| Fisher                    | Bowles                |
| Howe of Rindge            | Peabody               |
| Phillips                  | Clough of Orange      |
| Wilson of Sullivan        | Fifield               |
| Barber                    | Buzzell               |
| Woodbury                  | Drown                 |
| Barton                    | Bishop                |
| Gunnison                  | Eastman of Jackson    |
| Little                    | Perkins of Pittsburg  |
| Metcalf                   | Martin                |
| Whittemore of Springfield | Ross                  |

Ayes 50, Noes 104.

So the negative of the question prevailed, and the House refused to take said resolution from the table.

Mr. Smith of Bradford, from the joint select committee, appointed to wait upon His Excellency the Governor and inform him of the organization of the Legislature, reported that they had attended to the duty assigned them.

A message from the Senate by their Clerk :

“ Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution appointing a joint select committee to wait upon His Excellency the Governor elect, and inform him of his election, and that the Legislature will be ready to receive any communication he may be pleased to make, and have on their part joined Messrs. Smith and Pease.”

Mr. Peirce of Dover, gave notice that he will to-morrow ask leave to introduce a bill in amendment of chapter XXVIII of the “ Revised Statutes of the State of New Hampshire.”

Mr. Atwood of Hillsborough, from the joint select committee appointed to wait on His Excellency Henry Hubbard, the Gov-

ernor elect, and inform him of his election as Governor of the State of New Hampshire for the ensuing political year, and that the Legislature will be ready to receive any communication which he may be pleased to make, reported that they had attended to the duty assigned them, and that His Excellency replied that he felt deeply grateful towards his fellow citizens for this testimony of their confidence reposed in him, and that he would meet the Legislature in the Representatives' Hall at half past eleven o'clock this forenoon, and accept said office, and take and subscribe the oaths prescribed by the Constitution; at which time he would make a communication to the Legislature.

Which report was accepted.

On motion of Mr. Clarke of Atkinson—

*Resolved*, That the House are ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the constitution.

*Ordered*, That the Clerk inform the Senate thereof.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, His Excellency Henry Hubbard, the Governor elect, came in, attended by the Hon. the Council, and escorted by the committee of both branches of the Legislature, and manifested his acceptance of the office of Governor of the State. He then took and subscribed the oath of office before the President of the Senate and in presence of both branches of the Legislature, when the Hon. Titus Brown, President of the Senate, declared His Excellency Henry Hubbard, Governor of the State of New Hampshire for the ensuing political year, and presented him with a copy of the constitution, as a guide in the discharge of his official duties.

His Excellency the Governor, then made to the Legislature the following

### ADDRESS.

*Fellow citizens of the Senate  
and of the House of Representatives :*

Having now taken the oaths prescribed by our constitution, as preliminary to my entrance upon the discharge of the public duties of chief executive magistrate, to which office I have again been elected by the freemen of New Hampshire, I desire to make known to the people the deep sense of gratitude, I feel for this reiterated expression of their confidence.

The peculiar circumstances which have attended the recent elections in this State, cannot fail to impress our minds that there is a much greater cause for joy, than that resulting from mere individual success. It is for the triumph of those great principles, which are as dear to freemen as liberty herself, that renders the result of the late election matter of deep and abiding gratulation to the friends of equal rights and of equal privileges.

On this interesting occasion, it is assuredly fit that we should render to the Author of every good the homage of grateful hearts for His paternal care over us for the past year, for His goodness in having sustained the diversified interests of this Commonwealth, and for securing to the people the unimpaired continuance of social, religious and civil liberty.

What an impressive illustration is here presented of the character of our free and happy government! We assemble at stated periods, as the representatives of an intelligent and patriotic people, to enact laws for their as well as for our own guidance. A great change in that representation annually occurs: around me I observe men whom I did not meet in this place at the commencement of the last political year: and many were then assembled here who did not belong to either branch of the government the year preceding—affording evidence of the truth of that saying, which lies at the foundation of all our institutions, "*that political power emanates from the people*"—that they are emphatically the true sovereigns of this free representative government—that we are all here as their public servants, to carry out their will and to become the exponents of their opinions. It is this great and invaluable principle which makes the distinguishing feature in our government—the one which elevates it high and above all forms and political compacts which have hitherto been devised.

In my address to the Legislature at the commencement of the last political year, I recommended sundry alterations and amendments in the then existing statutes. I regarded them all as essentially connected with the true interests of the people. Notwithstanding the convictions impressed upon my own mind as to the importance of the changes then suggested, I shall not at this time call your attention to those subjects, as I do not intend to propose on the present occasion any special alterations in our system of laws. I shall commit the whole subject to your discrimination and good

judgment. If any amendments in our statutes are in your opinion necessary for the promotion of the public good, your own observation will readily suggest them. I prefer to leave the whole matter to your discretion, rather than to recommend particular changes.

Correct principles of legislation must always in a government founded upon law, be of engrossing interest to the representatives of the people. The first object of an intelligent community is to ascertain and establish the principles on which the government should be founded. In the written constitution of the various states of the Union and of the United States, the attempt is made with greater or less success to define with precision the general rights and duties which belong to individuals in their relation to each other, and to the public. That these attempts in the absence of experience should always be successful, was not to be expected by liberal and reflecting men. That timid reasoners, fearful even of improvement if it involved the necessity of a change, should sometimes mistake the form for the substance, must have been anticipated. That a prejudice should sometimes have been elevated into a principle, cherished with sacred care and embalmed in the chosen repositories of political truth, cannot surprise those who remember that it is with nations as it is with individuals; each must reach manhood before the crude notions of youth can be corrected. That superficial thinkers should adopt ill-digested plans upon partial and narrow views—that sanguine and intolerant men should strive to make the opinions of others assume the shape in which alone they could see truth—was less to be wondered at, than an unsettled state of society in which there should be neither shallowness nor intolerance. But the traces of the timid and the prejudiced, the superficial and the intolerant are not sufficient to destroy the harmony of a constitution formed by men sincerely anxious to attain to the knowledge of political truth. With all their defects the principles of our constitutions are expansive and comprehensive enough to admit of a legislation adapted to the daily increasing wants and refinements of civilized life, and to our keener appreciation of the true objects of all human society, the improvement of individuals in physical comfort and intellectual independence, and their progress in moral and religious attainments.

A constitutional theory admitted to be erroneous and upon which no legislation is ever founded, although it may injure the symmetry of the instrument as a work of art, may not lessen its value, on the whole, as a summary of political truth, and as each year, it is to be hoped, adds to our stock of political knowledge, we are less liable to confound accidental defects with principles of acknowledged truth. No wise constitution ever embodied in itself, as a principle to be acted upon, any intolerant theory of government, of religion or morals. No educated and thoughtful people ever acted upon any such theory, and no people whatever ever practised it without sooner or later becoming the victims of their own blindness. We learn to tolerate a theoretical defect in a constitution, as we learn to bear with the follies and vices of our race. And these mankind are beginning to perceive, can better be corrected by time and patience than expelled by violent remedies. In legislation, experience teaches us that, except in extreme cases, it is better to pause, until the operation of a system can be understood, than, because we may think it theoretically wrong, suddenly to introduce another on which experience has thrown as little light.

Since the adjournment of the last session, the Revised Statutes of New Hampshire have been published and laid before the people. In the month of March last in pursuance of the duty imposed upon me by the resolution adopted at the last session of the Legislature, I made a careful examination of the manner in which the public printers of the State had performed their contract. The result of that investigation was that their duties had been scrupulously fulfilled. The volume is well bound and printed upon paper and with type fully equal to the terms of their agreement. The work is remarkably free from typographical errors. In several instances errors and omissions in the copy furnished them by the Legislature, are noticed in the book in such a way as to draw your attention to them and enable you to legislate upon such particulars as may seem to require it.

The publication of the laws of the State in this revised form is undoubtedly a great improvement upon the former system. The cumbersome and ungrammatical phraseology of many of the statutes has been corrected. The involved and obscure meaning of many sections has been elicited and enunciated in distinct and intelligible propositions: provis-

ions upon the same subject, but separated from each other by wide intervals of years and pages, have been brought together and classified. Repealed statutes have been omitted and a general character of compactness and simplicity has been given to the whole. All persons of reflection and all those whose duty it is either to examine or expound the laws, can readily perceive that the labor and expense devoted to this object, have met with a satisfactory reward. It would be difficult to find two gentlemen who, in the very short period allowed them to complete so laborious a task, would have performed it so well and so thoroughly as Messrs. Bell and Fox, the commissioners appointed by my predecessor to perform that duty. That there are defects and omissions in the book as now published, which a longer time for examination would have enabled the Legislature to discover, and which would have been remedied by greater caution, is not improbable. It would be wonderful indeed, if from the haste and carelessness which have disfigured many of our statutes for the last fifty years, we had at once been awakened to the necessity of bestowing upon the enactment of the laws that patient care and studious diligence which are requisite to the perfection of every other intellectual effort. The improvement already made is a great and essential one and will undoubtedly be valuable both in its immediate and practical effects, and as an example. It is singular that, compared with other subjects of human interest, the business of careful legislation should have occupied so little of the attention of the community. It is not, surely, that the subject is one that requires but little intellectual effort. There is in truth no matter of temporal concern that requires so much. A good system of laws founded upon and in harmony with the principles of a free government, adapted to the wants of the people, comprehensive enough to embrace within its range all their essential rights and duties, but not sufficiently minute in its details to become oppressive in its operations, is one of the most difficult, as it is one of the rarest, achievements of human skill. The names of great lawgivers have been handed down to posterity as the greatest benefactors of mankind. Properly to perform this duty requires not only great abilities, a well disciplined mind and habits of accurate thought, but indefatigable perseverance, a clear perception of the object to

be attained, its consistency with the general plan and the invaluable power of close and patient attention. It would be unreasonable for us to repine at the absence of great jurists, for they are seldom found among mankind. But if the genius of a great lawgiver does not exist among us, we are still unpardonable, if we regard legislation as an irksome task which we may slight or evade without a violation of our official oaths. The more unpresuming virtues of industry, caution and investigation, it is to be hoped, still exist among us. There can be no sufficient excuse for hasty and careless legislation. We require of the advocate who manages our causes, the physician who prescribes for our diseases, of the architect who constructs our buildings, that each of them shall call into exercise his best efforts, and shall apply the principles of his art to the conduct of our business. We expect them to consider the object to be attained, to perceive all the obstacles in the way of success, to view the subject in all its bearings and to take time enough to assure themselves that the best mode is adopted. No less, surely, ought to be required or expected of the legislator. The man who enunciates a proposition in mathematics, without considering the result to which his principle will lead him, or who promulgates a doctrine in morals, without reflecting on its operation upon the happiness of the community, we look upon as a pretender, and unworthy of our confidence. And certain it is that there can be no duty more responsible or more important, than that which we owe to those who sent us here—no interests more momentous than those confided to our keeping ; and yet legislation is too often regarded not as a serious duty, involving the happiness of the community and calling for self denial, labor and forethought. Laws are too frequently passed without sufficient consideration, to answer a temporary purpose, and upon a partial view of the subject. When such laws go into operation, they are found to be defective, and their defects beget a necessity for the passage of other laws: these in their turn soon require amendment, until the system becomes a crude mass of contradictory provisions, almost defying analysis and discouraging the most faithful and diligent inquirer. Changes are then proposed in the laws to remedy existing defects, and alterations are from time to time made without fully accomplishing the purpose designed. Evils exist,

much time and money are squandered in litigation, until the public attention is aroused, and the people become convinced that a farther expenditure of time and money is necessary, to avoid the evils which should have been avoided in the beginning. Such was the conviction growing out of the state and condition of our system of laws, as it existed anterior to the late revision. The interests and the happiness of the people demanded a revision of our public statutes. The work has been done, existing evils have been remedied, a system has been arranged, with a precision, order and method required by the wants of the people.

It should be our end and aim, and the end and aim of those who come after us, not to mar this system by hasty legislation—if defects shall hereafter be discovered, to provide for such defects in that plain, direct and intelligible manner, as will add beauty and strength to the work.

But after all that has been done—after all the evils have been remedied so far as human skill will avail—certain it is that litigation will arise. It is idle to suppose that, under the Revised Statutes or under any system of laws which the wisdom of man ever devised, litigation will cease or will ever be essentially diminished. We are no better than those who have gone before us—have the same frailties as those of olden time; the same passions and prejudices, the same ambition and selfishness, that characterized the chosen people for whom, thousands of years ago, the Almighty dictated a code of civil government, imposing penalties for their offences and regulating their controversies. The passions which, five hundred years since, placed men in battle array against each other, now find vent in the peaceful arena of a court of justice; and judges and jurors in their respective provinces, pass upon questions and determine rights which were once adjudicated by the sword. Men are made of the same clay and are agitated by the same passions as of old. Christianity, however, and a more accurate view of the objects of human society have taught us that reason and law are the best safeguards of human happiness. Litigation will exist so long as men are the creatures of impulse, so long as craft and cunning turn us away from the right path, or pride and obstinacy render us callous to our sense of duty. The imperceptible but sure changes that are constantly going on in manners, in notions of gov-

ernment and in the appreciation of our rights, afford food for discussion, which too frequently terminates in litigation. And when we consider that no one case in all its particulars can ever afford an exact precedent for another, and that in the infinite variety of human circumstances no case was ever exactly like another, we cease to wonder that men plunge into controversies. The utmost that legislation can do, is to adopt a system of general rules, within which all probable cases may be included, in order that, if there must be litigation, the parties may reach the actual merits of their disputes, without wasting their strength in vain endeavors to ascertain the meaning of the lawgivers; and to obtain a judicial construction of their acts.

I have thus alluded to the defects in our legislation, because I think they are evils common to and increasing in every part of America. The fatal facility of making laws in the thirty legislative assemblies of the United States, has caused an accumulation of statutes embarrassing to the courts and to the bar, and injurious to the people; and the ease with which public laws are passed in our own State, should not fail to excite a spirit of great vigilance and caution. In a single hour an important act may go through all the forms of legislation and become the law of the land, at the time believed to be harmless in its provisions, called for by the interests of the State, and tending in no respect to the injury of individuals. Yet, a short experience affords proof that this legislation was uncalled for, was unwise, and in its effects prejudicial to the interests of the State and disastrous to the rights of the citizen. It has occurred to me from the best reflections which I have been able to give to the subject, that no public act passed at one session of the Legislature should take effect until thirty days at least after the commencement of the next succeeding session, and that the same limitation should be imposed upon all private acts, which can by possibility either affect the interests of the State or of individuals. Such a provision would take away, in all probability, the practical evils ordinarily resulting from hasty legislation. It is an undeniable fact that the frequency of change in our public laws is an evil, and if such evils occur, they should be commented on plainly and decidedly. I speak decidedly, because I feel deeply the importance of the subject. I speak with a confidence that my remarks will

be taken in the same spirit which actuates me in making them; and with an earnest hope that the representatives of so orderly, so industrious and so religious a people as the citizens of New Hampshire, will hereafter be ambitious not to increase the number of the laws, but with patience and forbearance to ascertain the positive defects in the existing legislation, and then to apply such correctives as the nature of the case may require. Having so recently given to the public our system of statute law, it is but the part of wisdom to suffer it to remain unchanged, until experience shall suggest defects which the condition of society, the wants of the people and a regard to their true interests require should be remedied.

Our primary schools richly deserve at all times the patronage and encouragement of the legislature. Our government is based upon the virtue of the people: that virtue is best preserved as knowledge shall be most diffused. As the means of education, the nurseries of pure morals and the sources of undefiled religion, these primary institutions of our country have within the last twelve months excited much of the public attention. A new impulse has been given to the public mind; and a new spirit has been awakened to the importance of our common schools for the spread of morality and religion; for the diffusion of intelligence among the people and for the preservation of our republican institutions.

Those patriots who framed the constitution of our State, incorporated into that instrument a sentiment worthy of themselves, that knowledge and learning generally diffused through a community were essential to the preservation of a free government, and that it was the bounden duty of legislators and magistrates to cherish the interests of all seminaries and public schools. This injunction of our political fathers should never be forgotten or disregarded by the friends of popular liberty. In my first address to the legislature I alluded to the republican character of our free school system. I then remarked that in those institutions are imparted to the youth of our State that love of civil and religious liberty, that high devotion to the cause of human rights; which lead to the unflinching exertion of their energies and of their efforts for the security of individual and public freedom. The constitution of our primary schools points

them out as especially meriting public confidence and public support. The scholars in these seminaries must be on terms of strict equality, and mingle together exclusively for instruction. The children of the poor as well as of the rich—those emanating from the laboring classes, as well as those from the independent portions of our community—enjoy the same rights and the same privileges: they commence their course of study—enter upon the acquisition of knowledge, under like influences and with like hopes. Our primary schools may well be denominated public institutions. They are sustained at the public charge, are dedicated to the use of all the youth of certain ages within the limits of our State, and a direct benefit is periodically realized by the education of the sons and daughters of our republic. Our free school system may be considered as the heart of the body politic, and the streams which are continually flowing from it, give health, vigor and strength to all the members of our community.

It has been matter of complaint that our common schools were not receiving that encouragement from the hands of the Legislature, which they ought to receive. Academies and high schools, it is said, have been multiplied in our land to the neglect of those primary institutions which should be our pride and boast, and which should receive, as they merit, our constant care and support. Far be it from me to say any thing which might tend to discourage that public and benevolent spirit, manifested in providing for the thorough education of any portion of our community. If the effect of multiplying other literary and scientific institutions be to break down our common schools, to change their character and impair their usefulness, the friends of a general diffusion of knowledge and learning would regret the tendency of any course to produce any such effect. There is, however, within the power of the Legislature at all times a perfect remedy for any such evil. Elevate the character of our primary schools. Place within the reach of the most depressed son of poverty within our State, the means of obtaining a thorough English education, through the influence of these free seminaries of learning. Let there be such a division, (whenever practicable,) of the youth, that the younger scholars may constitute an exclusive class to receive such instruction as they would require—and let the schol-

ars more advanced in attainments, be placed under the exclusive guidance and instruction of those well qualified to teach the higher branches of an English education.

It is a reproach to our free school system that the higher branches of mathematics, philosophy and political economy can only be acquired at our academies and high schools. This should not so be. An invidious feeling is thereby engendered among the youth of our State, and one of the great objects of our free primary schools is defeated, and that is the opportunity of giving to the poorer classes of our community as thorough an English education, as can be attained elsewhere; and thus fitting them to perform the duties which may devolve upon them as citizens of this republic.

I do not design to recommend any alterations in our present militia system. It has received its present modification after having been carefully and recently revised by the immediate representatives of the people. I would therefore confidently trust that no amendments will be attempted in our militia laws, until experience shall suggest the necessity of further change. Far better is it to bear some practical inconveniences than to subject the system to frequent alterations. No man can entertain a more exalted opinion of the value of a well regulated militia for the preservation of our institutions and for the protection of the rights of the citizen, than myself. No man, looking to the honor of this free country, the continuance of this free government the happiness of this free people, could more deeply lament than myself the existence at any time of a sentiment or feeling opposed to the respectability and usefulness of our militia.

In connexion with our primary schools, the institution of our militia alike deserves the protecting care of the State government. The minds of men may be enlightened; the value of political and social virtue may be realized; the genius of our liberal institutions may be well understood; and laws may be passed with all the sanctions which the wisdom of man can devise; yet all these would avail but little, without the influence of a citizen soldiery; without that moral force, that physical "*corps de reserve*," designed for the ultimate security and defence of the just rights, the equal privileges, the constitutional liberty of the people. These opinions are given as the result of much

reflection. They are presented to you as my sober convictions. And I cannot but hope that they will find a hearty and concurrent response from those to whom they are addressed, and that at no future period of our history will any representative body of the people be assembled without feeling the force of the sentiment, *that for the due preservation of the liberties and the rights of the people, and for the security of our free government, it becomes their bounden duty to do all that can be done, to maintain the character and to promote the usefulness and efficiency of our free school and of our militia systems.*

From communications which have been made to me, I learn that the Asylum for the Insane has been in readiness for the reception of patients for the last seven months; that about seventy within that period have been received at the institution, twenty of whom have been returned to their friends, having been partially or perfectly restored to the exercise of their right reason; and that nearly fifty are, at this time, under the charge of the superintendent. It is worthy of remark that the Asylum for the Insane in its erection and in its subsequent management has been conducted with great judgment and economy, and although such institutions are unavoidably subject, at the commencement of their operations, to severer charges than are ordinarily incurred afterwards within the same period of time; yet it is believed that the means within the control of the Asylum will enable it to meet its ordinary expenditures for the coming year. The buildings and the grounds belonging to this institution, its location and superintendency, cannot fail to recommend it to the public as a most desirable retreat and residence for those unhappy fellow beings who, for a time, may have been deprived of that unerring light given us by the God of nature for our guide and direction. The Asylum will, I trust, continue to command and receive in its behalf the sympathies and efforts of the friends of humanity here and elsewhere.

Since the adjournment of the last Legislature, I have received a communication upon the subject of the geological survey of this State. No doubt a further report of much interest will be submitted by the State Geologist before the close of this session, and as soon as received, it shall be transmitted for your information.

Under the authority given to the State Treasurer by the resolution of the last legislature to borrow thirty-five thousand dollars for the use and upon the credit of the State, he has been enabled to supply the treasury with means, (derived from our own citizens and institutions,) sufficient to meet all demands which have hitherto been made upon him. And I feel warranted in stating that he will be able to command, under the same resolution, funds sufficient to meet the expenditures of the State for the ensuing half year, and that from the tax payable into the treasury in December next, he will be supplied with the means of extinguishing the entire debt of the State for money borrowed, and have a balance in the Treasury, applicable to the wants of the government at the commencement of the next political year. The State of New Hampshire has much cause for congratulation for her resources, her credit and for her freedom from pecuniary embarrassment.

Within a short time past the Executive Branch of the government has made a full and careful examination into the receipts and expenditures for the past year, and into the present condition of our State Prison, and also into the health, habits and conduct of the prisoners.

The income of the Prison, according to the statement of the Warden, during the year ending the 30th of April, 1843, has been as follows :

|   |           |
|---|-----------|
| Net receipts from Cabinet shop,.....              | \$2564.33 |
| "          "      Shoe shop,.....                 | 1653.33   |
| "          "      Smith shop,.....                | 2805.35   |
| "          "      Profit and loss,.....           | 142.98    |
| <hr/>   |           |
| : Making,.....                                    | \$7165.99 |
| Within the same period there has been disbursed : |           |
| : Expenses, &c.,.....                             | \$3392.68 |
| : Provisions, &c.,.....                           | 2231.75   |
| : Clothing, bedding, &c.,.....                    | 435.98    |
| : Repairs and improvements, .....                 | 70.03     |
| : Steam Engine,.....                              | 228.64    |
| : Interest acc't,.....                            | 68.55     |
| <hr/>   |           |
|   | \$6427.63 |
| - Giving a balance of profit of.....              | \$738.36  |
| - Cash receipts within the year have been.....    | \$8848.00 |

Cash expenditures, ..... \$6389.45

Leaving on hand in cash, April 30th, 1843, ..... \$458.55

It is, however, a duty devolving upon you as the immediate representatives of the people, to institute a thorough and rigid investigation into all the means and liabilities of the institution, and to ascertain by a minute examination whether in the report of the Warden any means are estimated which may not be available, and whether a full exhibit is given of all the liabilities of the Prison. Such a course of proceeding should not be dispensed with, and at the commencement of every year the true and actual state and condition of the prison should be ascertained and laid before the people.

The number of convicts in confinement at the time of the examination was ninety-nine. The health of the prisoners has been generally good. There has not been a death among the inmates at this institution for nearly two and a half years, a circumstance, taking into consideration the number, unparalleled in the history of state prisons, and clearly proving the beneficial effects of regular exercise, rest and diet. The New Hampshire State Prison is at this time, in our opinion, in a better condition than it has been for many years past, and in point of discipline second to none in this country. The resources of the prison are amply sufficient for its support, and no aid from the treasury will be necessary for the coming year. It occurred to the Executive that no alteration in the employment of the prisoners could be advantageously made. The convicts are mostly employed either in the smith, shoe or cabinet shops. The contract for the service of the prisoners in the smith shop secures to the State for each one forty cents per day : in the other shops a little less is realized ; and it is supposed that a less favorable contract will have to be made for the future employment of those who may labor in the smith shop. It is, however, a matter of fact that the prisoners are and may continue to be supported, with good and wholesome food, at the rate of seven cents per day for each ; and unless there should be a material falling off in the subsequent receipts at the penitentiary, a sufficient sum will be realized to meet the annual expenditures of the institution, including the salary of the Warden ; and the accounts hereafter to be submitted by that officer will, by direction, contain a charge

for the payment of his own salary, instead of receiving it direct from the treasury as has been heretofore practised. The Executive could not fail to admire the good order, the neat and cleanly appearance of the several apartments of the prison. All seemed to have been done by the Warden and those under him, which could have been done for the health and comfort of those under their charge. And they learned with equal satisfaction that the convicts were constant in their attendance upon the religious services of the Sabbath, and conducted and demeaned themselves with propriety on all such occasions.

In pursuance of the statute of the last session, two Justices of the Circuit Court of Common Pleas were appointed and commissioned; and from the experience which has already been enjoyed, there can be no doubt that this alteration in our judicial system will prove most salutary, enabling the respective courts of common pleas to transact the business falling within their jurisdiction without unreasonable delay, and of consequence, with economy to the public as well as to the parties litigant, and affording also to the Judges of our Superior Court all the time, and opportunity necessary for that prompt performance of their appropriate duties guarantied by our constitution.

In accordance with the request of the last Legislature, I transmitted to the governors of the several States copies of the resolutions upon the subject of postage and the franking privilege, and to the governors of the New England States copies of the resolutions upon the subject of banking and the circulation as money of small bills of a less denomination than five dollars. Whatever communications shall be received in reply, shall be immediately transmitted for your information.

I also sent to each of our representatives and senators in Congress copies of the resolutions of our last legislature, upon the important subjects of the tariff, the bankrupt and distribution acts of the last Congress.

I cannot permit this opportunity to pass without an expression of my full and perfect concurrence in opinion with those expressed by the last Legislature in the resolutions to which I have referred. Nor can I permit the occasion to pass without bearing testimony to the propriety and fitness of such legislative proceedings.

New Hampshire is a member of this great confederacy of states. And the patriotism, the intelligence, the self respect, the stern and inflexible principles of her people would never tolerate any disinclination in their representatives to speak forth, on all proper occasions, their views on all matters of public policy. Integrity, vigilance, fearlessness belong to the patriot, and that man can be but little acquainted with the character of our citizens, who would deny to them the possession of those qualities in a most pre-eminent degree.

It is your high privilege to declare your opinions of the measures of those charged with the administration of our national affairs. A declaration of your views, as the representatives of an independent member of this union, is not only a matter of right, but may be a matter of duty. As an integral part of the republic, New Hampshire cannot be indifferent to the acts of Congress. Their operation is either for good or for evil upon her citizens. And the character of all national measures should be well examined, and either approved or condemned by the intelligence and patriotism of the country. If any infraction has been committed by our public servants upon the constitution of this republic, we should not be silent. A frank avowal of the opinions of the constituted authorities of any one member of the confederacy, in relation to any national measure, may induce an entire change or such a modification as would render the measure acceptable to the people. This is the way open at all times to reach the ear of Congress and thus prevent the long continuance of unconstitutional and oppressive acts of national legislation. Any administration of our public affairs, which shall by its measures act in disregard of the best interest of the country, forfeits all claim to public respect, and cannot and should not command public confidence. Our motto should be, "everything for principle, nothing for men." "It would be a dangerous delusion, were a confidence in the men of our choice to silence our fears for the safety of our rights. That confidence is everywhere the parent of despotism. True government is founded in jealousy, not in confidence. It is jealousy, not confidence, which prescribes printed constitutions, to bind down those whom we are obliged to trust with power."

It may not be unprofitable or considered out of place for me in this public address, to portray some of the effects of the existing restrictive tariff upon the great body of the consumers of the importations of the country. "For it is believed that the system would not last beyond a single Congress, if the people understood precisely how it operates upon them." And yet, within the lim-

its of this address, I can only in very general terms refer to the measure in its consequences: even this may be sufficient to awaken such a spirit of inquiry as will lead the people to rid the country of a measure so oppressive to their prosperity and so prejudicial to their happiness. There is no subject exclusively within the jurisdiction of Congress of more interest to us, than that of raising a revenue. As the expenses of the national government must be defrayed by the people of the union, it is important to each one of us, that Congress should adopt the best mode of attaining this object. But names have still so much more influence over us than things, that the system of direct taxation necessarily adopted in the different States to defray State expenses, has never found favor when it has been proposed to apply it to raise the national revenue. And abundant as have been the errors to be found in the history of human legislation, they have probably been more numerous on this subject than on any other. Taking it for granted, for the present at least, that it is more acceptable to the people, that a revenue should be raised by a system of duties than by direct taxation, the principle to be applied seems to be an intelligible one. It is that the duty should be imposed upon such articles and in such a way, as will cause the least expense to the consumers. It is necessary, of course, that duties should be imposed on articles, the consumption of which would be sufficient to enable a revenue to be raised from them. And when the duty is imposed on such articles and such alone, as will yield a sufficient revenue with the least injury to the people, and with the honest intention alone of raising a revenue, the fact that certain articles of home manufacture increase in price to the benefit of those citizens who are employed in producing them, as it would be a necessary consequence of the duties, so it would not be a cause of complaint. But when the legitimate purpose of a tariff is lost sight of in the eagerness to raise the profits of home manufactures to the owners of them, and when by the imposition of unnecessary or injudicious duties upon foreign articles, not only their price is raised, but the home manufactures are made equally expensive to the consumer, the common sense of the people revolts; and they begin to murmur that the actual receipts into the treasury should bear so small a proportion to the burdens which they are made to sustain, in consequence of a complicated and unwieldy system of duties.

It appears from a statement furnished by the Treasury department, that the average amount of duties on dutiable articles imported during the last quarter of 1842, is a little more than 35 per cent. on their *ad valorem* value, and at that rate an importa-

tion of forty millions of dollars of dutiable articles, during the year 1843, must produce a gross revenue of fourteen millions of dollars, which will yield a net revenue of nearly thirteen millions of dollars; one million out of fourteen being the custom house expenses of collection. It has been demonstrated by one of the best thinkers and writers of the country that, including the custom house expenses, the cost to the people of collecting a tariff tax is not far from 45 per cent. upon the amount which actually goes into the treasury. This burden is inevitable thrown upon the consumers of dutiable articles, and this, where the tariff is purely for revenue. It matters not to what class of the community the consumer belongs. He who consumes a single article embraced in the tariff, pays a portion of the tax and of the cost of collection. If the fourteen millions of dollars of revenue was derived exclusively from duties imposed upon articles, similar in kind to those which are manufactured in our own country, the products of our own labor, the unavoidable tax to the consumer would be nearly doubled. There is in fact no mystery in the operation of a tariff upon home manufactures, although the enormous burdens with which the people are laden in consequence of a tariff for protection, have either been kept out of sight or overlooked. The actual cost to the people of a tariff for protection may be shown in a very few words. And I will endeavor to illustrate it by some brief but familiar references and statements. If we take the importation of salt for the year 1840, the oppressive effect of this protective policy will be seen. In that year we imported into this country over eight millions of bushels and manufactured over six millions. The duty was eight cents on a bushel of 56 pounds, when it is known that the average cost abroad does not exceed eight cents per bushel. The gross revenue accruing from the amount of the importation of salt for the year 1840, a little exceeding six hundred and fifty thousand dollars. The price of the six millions of bushels manufactured in this country, would be increased to the amount of the duty imposed upon the foreign article, together with all the costs and charges of collection. The inevitable effect must have been to have subjected the consumer of this article, so valuable and of such general and indispensable use, to more than one hundred and thirty-three per cent. on the salt consumed, in order to afford protection to a few hundred salt manufacturers. The same principle applies to every article which is made subject to duty, and where a like article is the product of our own manufactures. The operation of the tariff upon all such classes of articles must be to raise the price of the domestic, so as to correspond with the price of the

foreign article, and in this way to give protection to the sugar planter, the salt maker, the iron master, and the cloth manufacturer, at the cost and charge of the farmers, mechanics and all the other consumers of the country.

"The precise amount of home manufactures purchased by our people, corresponding in character with those subject to duty imported from other countries, may be estimated at least equal to the imports, or at their natural price, worth per annum \$40,000,000. As the price of the imports is increased 35 per cent. by the tariff, so the price of similar articles manufactured at home will be increased 35 per cent., which upon \$40,000,000 gives \$14,000,000, equal to the entire gross revenue." We can, from these facts, form a fair estimate how much the American people pay to get \$13,000,000 of net revenue into the treasury. This will appear from the following exhibit :

|  |                     |
|--|---------------------|
| Custom house expenses,   | \$1,000,000         |
| Cost of collecting the revenue tariff tax, independent of the custom house charges, comprising importers, merchants and dealers' profits, &c., estimated at 33 1-3 per cent. | 4,666,666           |
| The protective tariff tax, if the revenue is derived from duties on articles, when like articles are manufactured in our own country,  | 14,000,000          |
| The cost, &c. of collecting the protective tariff tax would be   | 4,666,666           |
| Add the net revenue,   | 13,000,000          |
| <b>Making</b>  | <b>\$37,333,332</b> |

"Thus it appears that out of \$37,333,332, paid by the people under the existing system, only \$13,000,000 gets into the treasury. Of the balance over \$14,000,000 is money transferred by legislative legerdemain from the pockets of the consumers to the pockets of the manufacturers. Four millions and two thirds is the cost of this operation, while four millions and two thirds is the cost of collecting the revenue tariff tax, and one million the custom house expenses." Could any system of revenue be more unjust, more expensive, more iniquitous?

"Agrarianism takes the property of the rich and divides it among the poor. This system is worse. This takes the property of the poor and gives it to the rich."

Now it would be unreasonable to complain of this sum, enormous as it is, provided the duties were judiciously imposed, if a system of indirect taxation is adhered to. But when we consider,

the indirect cost to the consumers consequent upon a tariff for protection, it may well be a matter of wonder and grief that we have profited so little by half a century of self government. It is evident that a system leading to such results, is radically wrong. It is our duty, as liberal and enlightened men, to pay whatever is necessary for the national defence, for the expenses of government and for the support of justice and the laws, without requiring any other return than the blessings of civilized society. But all expenses unnecessary for these great objects, are unauthorized by the theory of our constitution and at variance with the simplicity of a republic. I can add no more on this subject: the remedy is with the people. Sure I am that a government emanating from and sustained by them, and yielding in theory a greater security to human rights, will not in practice be found to impose a greater burden for its pretended support, than any other which has ever yet been devised by the wit of man.

If corruption is abroad in the land; if it has found its way into our national councils; if our public servants are faithless to the constitution and to the cause of equal justice; you are bound to do what you can to ferret out the wrong. Even a voice from this Legislature may stay the progress of a measure charged with all manner of evil. We have heretofore felt ourselves called upon while in the way of our duty, to denounce the act of Congress providing for the distribution of the avails of the public lands, not only as an open and flagrant violation of the constitution, but also as a measure fraught with most mischievous effects, subversive of the independence of the States and debasing to the patriotism of the people: and much to the honor of the country, the evil of that demoralizing act of Congress has been checked by the force of public sentiment. Our efforts may have contributed in producing so glorious a result. We felt it to be no less our duty to assail another act of the same Congress, as degrading to the moral sense of the whole country and destructive to the interests of the American people: and I am happy to say that this measure is no longer suffered to debase our character by occupying a place among our public statutes. I was opposed to districting our territory for the election of our representatives, and I could not permit an act of the same Congress to go into effect, giving to the states their mandate for the accomplishment of such a purpose, without protesting against the constitutional power of Congress to exercise any such authority, and without urging upon the Legislature to resist every such encroachment upon their rights. We have reason to believe that this act also will in practice be wholly inoperative. Vigilance, fidelity and perseverance will alone secure

to the natural man the protection of his personal and political liberty.

The events of the last year have forcibly impressed the public mind that the sovereign power of this free country will control her destiny—that no administration of our general government possessing all the adventitious advantages of powerful majorities in every branch, can conduct the public affairs for any length of time in disregard to the interests of the people. They will speak forth in such authoritative tones that the weakness or the wickedness of any man or any set of men, will quail under the influence of such a power. A recurrence to the past history of the present administration of our national government, furnishes confirmation of the direct influence of popular opinion. In the plenitude of their power, they passed the mad scheme of abstracting from the national treasury a portion of the national revenue and giving it to the states. The controlling influence of public sentiment has compelled these same servants to count this measure as among the things that are not. They passed also a bankrupt law, and the voice of the people has repealed it. The legislative branches in like manner passed the most odious of all odious projects, the establishment of another national bank, and the strong force of popular feeling vetoed this measure. I have adverted to these events to remind you that, as vigilant watchmen, you have something more to do than to provide for the wants of your immediate constituents—that it is the bounden duty of all of us composing the representative body of the people, to watch with constant vigilance and solicitude those connected with the administration of our public affairs—to expose to the intelligence of the American people, every act impairing the force of our political compact or infringing the great principle of exact justice and equal protection.

No state in this Union contributed more, in proportion to her numbers and to her means, in aid of the establishment of the independence and government of the country, than the State we have the satisfaction of inhabiting. And no state will bear more and struggle longer to preserve that independence unabated and that government unimpaired, than New Hampshire. I would here reiterate a sentiment formerly expressed by me, that if the liberties of this country shall at any future period of her history be lost, that loss will be traced to the unwarrantable legislation of Congress; to the exercise of powers on their part not delegated by the constitution.

It is deeply to be regretted that “the mania for state banking and the mad career of internal improvements,” have involved any

of the states of this great confederacy in an indebtedness so embarrassing, if not so oppressive, as to render them unable to meet their engagements with promptness and punctuality. I cannot concur in the sentiment which has been expressed by some in authority, that a failure of one state to redeem its own liabilities, impugns the character and credit of the other states of this Union. I cannot recommend, as has been done by others, the passage of resolutions expressive of the strong interest which this State feels in the full redemption of every pledge given by other states, of its public faith and of our utter detestation of the "abominable doctrine of repudiation" as applicable to independent and sovereign states. I merely wish to be understood as saying that in my opinion the State of New Hampshire, in her political capacity, is not called upon to condemn or to approve the course which any of the states of the Union has taken in relation to her own liabilities. In my judgment this State has no concern with the affairs of those states which may be involved in debt. With just as much propriety and fitness can this Legislature cast censure upon individuals for their failure to perform their contracts, as to adopt a resolution condemnatory of the conduct of those states which have for any cause neglected to redeem their plighted faith. That is a matter which can in the one case only affect the individual, and in the other, the state. It would seem to me to be equally as appropriate and as justifiable for this State to inquire into any other matter, connected with the internal policy of any member of the Union, as to investigate the causes of her indebtedness or the still more odious offence, the causes of her delinquency.

New Hampshire, with but few other states, remains unembarrassed with debt, and can it become us to prescribe any lessons in morals to those who may be differently situated? Does it become us to hold forth to them the danger of repudiation, and the all importance of a prompt redemption of every pledge of public faith? Does it become us to declare that the practice of the one is an outrage on "public honor," and a failure to observe the other is dangerous to "public liberty?" Does it become us to say what these indebted states *must do*? I think not. It is a matter which exclusively concerns themselves. The states unembarrassed with debt, should be cautious how they interfere with the affairs of those oppressed by outstanding liabilities.

No attentive looker-on who has watched the course of events for the last twelve months in and out of Congress, can have failed to have come to the conclusion that there is a mighty effort abroad in the land to induce the Congress of the United States, at no distant

day, to provide for the assumption by the general government of the entire indebtedness of the states. Such a measure has been openly avowed and advocated on the floor of the House of Representatives in Congress, and such a project, if any reliance can be placed upon the signs of the times, has found favor within the Senate of the United States; and such a movement finds encouragement in the action of legislative assemblies, holding out the idea that American credit is unfavorably affected by the conduct of a single individual state in neglecting to meet its liabilities; holding out farther the all importance of preserving that American credit from being tarnished by such acts, and thus encouraging those who are presumed to represent in Congress the virtue as well as the intelligence of the country, no longer to suffer this stain to rest upon our national escutcheon, but to go forth to the work at once and to take upon ourselves these state liabilities.

Fellow citizens—This is no picture of the imagination. The exhibit is drawn from clear, direct and undeniable facts. When the much lamented senator from Tennessee, who is now no more, presented the report of the committee upon this same subject to the United States Senate, his doctrines founded, as they were, in the deepest wisdom and in the purest patriotism, were condemned by the friends of the present administration, then members of that body, as wholly uncalled for; as strange; as tending to impair state credit: and it was said over and over again by grave senators, that the idea of an assumption of the state debts by the general government, if not ridiculous, could not have been seriously entertained by any American statesman. Was this the fact? The occurrences of the few past months cannot fail to have satisfied every man that the avoidance of all action of those friends of this administration, upon the resolutions of that distinguished senator, must have been induced by a deep and controlling conviction that such a measure *might become expedient*, and that the safer way would be not to declare openly against its unconstitutionality or its impolicy, but to leave the whole matter to be regulated as time and circumstances should seem to require. Is there a friend of his country within the reach of my voice, who can doubt that this scheme fraught as it is with the most dreadful and dangerous evils to the harmony and union of the republic—to the peace and prosperity of the people—is seriously contemplated by some of the public men of our country? Certain the fact is so; and it becomes us, the representatives of freemen jealous of power and tenacious of their rights, to meet this project at the threshold—fearlessly and frankly to declare the honest convictions of our minds touching this subject—to induce, if pos-

sible, by our bold and energetic action, the representatives in Congress to prevent the adoption of a measure, more calculated than any other to rend asunder the ties which bind together this great confederacy. In behalf of the independent and patriotic state you represent, you are called upon to put forth your sentiments upon this subject, and to stay, if practicable, the onward progress of this plan matured and well considered as it has been; and thus preserve the justice and honor of this nation—the peace, the confidence, the hopes of the American people.

At the commencement of each political year, it has been a custom coeval with the existence of our government, for the Executive to make a communication to the legislative branches, in relation to matters of general and local policy. And on such occasions it becomes his duty to re-examine the positions which he may have previously assumed; to take a retrospect of the ground which he may have occupied, and with honesty and fearlessness to point out all errors, if any, either in principle or in practice, which may have occurred to his mind. All such communications would lose their value and would become little entitled to the confidence of the people, should they be found pertinaciously to reiterate sentiments which reflection and experience have condemned. If mere pride of opinion could induce a public servant holding the honorable and responsible office which I now fill, to compromise his own integrity, so far as to make a public and official declaration of views repugnant to the deliberate convictions of his own mind, he would deserve and assuredly receive the contempt of his masters. The people are not slow to discover whatever tends to endanger their peace, to embarrass their rights, or to prejudice their interests; and if these tendencies have proceeded from the adoption of measures recommended by their Executive, they will not fail to apply the remedy always within their control.

In presenting this address, I have been induced to examine the opinions promulgated in my former communications to the Legislature. I have been induced to do this for the reason that those opinions have been assailed, and the principles advanced have been directly condemned by men who once occupied responsible stations in this government, and long enjoyed the respect and confidence of their fellow citizens. And I cannot consistently with that uprightness and integrity which I hope ever to maintain, say to you that on either of the occasions when I have found it to be my official duty to address the Legislature, have I given utterance to sentiments which are not now approved by my best judgment.—Under the high responsibilities of my official station, I have not hesitated to present to the people of this State my views touching

a species of legislation, which had so extended itself as to have involved rights and interests, sacredly protected by the supreme law of the land. The too frequent granting of acts of incorporation to individuals for private purposes, and the consequent invasion of private property for the accomplishment of those purposes, had produced no ordinary excitement. The relative and absolute rights, duties and powers of private corporations and of individuals were subjects of engrossing thought. My own sentiments had been freely expressed upon these matters long before I was elevated to this office. This subject has lost none of its importance and none of its interest with the people. And I propose to submit at this time some additional reflections. I have no other object to attain but to carry out the great design in the constitution of free political communities—to *protect the weak from the encroachments of the strong; to defend the impotent from the influence of power, and to sustain the whole people in the enjoyment of their liberty and equality.*

Titles to property are acquired in this State either by purchase or by descent. The mode of transferring estates is prescribed by legal enactments, passed in conformity to the provisions of our constitution. To the owner is given, under our laws, the rightful control of all property to which he may be entitled. In no possible way can he be divested of that control without his consent, except when public necessity shall interpose. Whenever a case shall occur, that for the public use the private property of individuals must be surrendered; then such a surrender will be sustained, not only by the language of the constitution itself, but by the nature and fitness of things. The very existence of political communities renders indispensable the exercise of such a power, and such a power being vested in the Legislature, may by them be delegated by law, and in this way only can private property be taken and appropriated, without the owner's consent. We hold our estates subject to the demands of the public for their exclusive use. We hold them above and beyond the control of others. The property of an individual, in pursuance of the provisions of law, may be taken and appropriated for the debts of that individual. It is merely applying personal means to meet personal liabilities.

But it would be regarded as abhorrent to every principle of common justice and opposed to every principle of constitutional law, to contend that the property of one individual could be seized and applied for the satisfaction of the debts of another; and yet there is not the slightest difference, in principle, in giving authority to take the property of an individual, without

his consent, to pay the debts of his neighbor, or to take that property and give to that same neighbor to promote his convenience or to increase his substance. It is nothing more and nothing less than taking individual property, against the will of its owner, for private use. I cannot fail, without a violation of the oath, I have just taken to support the constitution, to carry out in practice what I have not hesitated to advance in theory—that the surrender of private property, without consent, except for public use, cannot be required. This great principle is coexistent with our government. The sober sense of our community can never be confounded with the unmeaning jargon that public use is attained by private accommodation and the protection of private interests. The true difference between public and private use could not be more perfectly illustrated, than by contrasting our highways constructed by public means, sustained at public charge and exclusively dedicated to public benefit, with those constructed by private appropriations, preserved by private expenditures and dedicated to private interest. The one class is exclusively within the control of the public; the other is as exclusively within the control of individuals. The one is a public, the other a private concern.

The acquisition, possessing and protection of property is one of the essential and inherent rights of man, and on entering into a state of society he must surrender, to some extent, this natural right to that society, in order to insure the protection of others. For the construction of our public highways, private property of necessity must be taken and thus appropriated, even without the consent of the owner, if a just compensation shall be made. Legislatures can provide for the construction of all such ways. The power is expressly conferred by our own constitution, and confirmed by that of the United States. But no such principle can be made applicable to private ways, constructed by individuals or by artificial persons for private purposes. Estates are not held here by so uncertain a tenure. Property cannot be put away from the control of its owner, against his will, when required for purposes of individual speculation, when wanted to accomplish private ends, or when necessary to advance private interests.—Such objects can only be attained by negotiation and contract. Mind must meet mind, when the possessions of one may be needed to carry out the operations of another. A contrary doctrine would place the estates of men beyond the control of their owners—give to wealth the power of applying the means of others to the accomplishment of its own ends; of converting the soil of the husbandmen, without his consent, into canals and railroads,

and of thus subjecting the homes of the poor to the claims of the rich. The exercise of any such power would be wholly unwarranted by and opposed to the very first principles of our government. There is no compromising, no giving up of this principle. If the views expressed are right and constitutional, then the principle will be maintained unimpaired, so long as our institutions shall continue. The Legislature can in no instance delegate a power which they do not enjoy. It cannot rightfully presume to exercise an authority over the private property of the citizen, which is not warranted by the terms of the constitution. It would be most dangerous and alarming to enlarge the express grants of power by construction, or control them by considerations of expediency. I have before said, if such a power exists in the representative body of the people to give authority to appropriate the property of individuals, without their consent, to the use of private corporations, equally constitutional would it be to confer the same power for the use of the corporators. There is not a shadow of difference in principle. Nor does the constitutional exercise of such a power, for private purposes, depend on the degree of public use. The abstract power, if possessed, might with as much propriety be conferred upon the owner of a waterfall, to construct a dam and flow the lands above, in order to erect a mill demanded by the convenience of a neighborhood, as to construct a railroad for the accommodation of other portions of the community. There is no half-way house, no middle ground. The first section of the act contained in chapter 142 of the Revised Statutes, passed before I came into office and approved by my immediate predecessor, contains a provision worthy of the head and heart of the representative body of the people, which gave it a place among our statutory enactments. It contains, in my judgment, the true constitutional doctrine upon the rights and powers of private corporations over the property of individuals. This valuable reform in our legislation, gives the desired protection to the property of individuals against all encroachments of irresponsible corporate power.

In the course of this session applications may be made to you for the renewal of existing bank charters and for the incorporation of other private companies. It is not within my province to prescribe the details to be embraced in the charters for any such incorporations. If the general acts are not as they should be, it is for you to make the alterations required, and it would illy accord with the Executive to differ with the Legislative branches of the government in the details of a measure, which do not in effect violate our constitution. The principle of individual li-

bility for the debts of private corporations will not, I trust, be yielded; and while it should be faithfully preserved by the future legislation of the State, we should be careful in our engagedness for the maintenance of this principle, that we do no wrong to these private corporations, by restricting too much the powers of the corporators. Equal and exact justice should be the end and aim of public legislation.

From the last annual report made by the Bank Commissioners of Ohio, I subjoin the following extract as containing sound and correct doctrine upon the subject of banking:

"In the organization and management of banks, the control over their discounts and the decision as to what persons or classes of persons shall be accommodated, the people have no more direction, than in the affairs of private individuals. The accruing profits, instead of being kept as a fund to discharge the debts of the corporation or to meet its losses, are semi-annually divided among the stockholders, and thereafter become private property, beyond the reach of an execution against the bank. And here is the distinction between a natural person and a corporation. The natural person retains his accumulated profits and they become a part of his property, and are liable at all times for the payment of his debts; but the corporate body, instead of retaining its profits to pay its debts or to meet any losses that may occur, divides them among the stockholders. Individual liability, instead of dividing the profits among the stockholders and the losses among the people, proposes to divide the losses as well as the profits among the persons composing the body corporate. The history of the past has proved that frequent and heavy losses have occurred from bank failures. This loss must fall upon one of two classes of men, the bankers or the bill holders. If the management devolves exclusively on one party and the profits also enure to the same, it is clearly right to fix the responsibility on that party having both the control and the profit."

The Legislature will constantly bear in mind that their first and last object, should be to provide for the perfect security of the public against every possible loss by reason of the conduct of private corporations. It is immaterial in what way this object shall be accomplished, if it be but attained. The maximum of the capitals to be held by banking companies, the provisions and the details for their government and for the security of the public, are properly and exclusively within your province. With those matters I do not propose to interfere.

If it be policy to increase banking or any other private corporations, it would be but an act of justice that the security to the

public should be made with as much convenience to the corporations as practicable. Various modes have occurred to me, each looking to the same object, and I dare presume that your own reflections will finally lead to the adoption of some general plan which will give entire protection to the public, without imposing such unnecessary restraints as will lead private corporations to surrender their charters. The incorporation of a bank is a power which should be exercised with great caution. To all such artificial persons, you give the right to create for the public a paper circulating medium, which ever has been and ever will be taken as money by the people. It is not to be denied that to banking companies, uncontrolled and irresponsible, and conducted as they have been, is committed the power of fixing the value of the entire property of the country. When they expand their circulation, property rises. When they contract, it sinks. "If a great expansion of the currency of the country creates high prices, high wages and over-trading, it is self evident that a great contraction of the currency will produce exactly the opposite effects—low prices, low wages and little trading." The abundance of paper money gives an inflated value to products, which is taken away when new discounts are refused and payments required.

"The constant tendency of banks has been to lend too much, and to put too many notes in circulation." It was once well said by a distinguished peer of England, that "if the Americans went into the funding system of England, and adopted their projects of unsubstantial paper money, their boasted independence would prove to be the merest phantom." How literally has this prediction been verified by the history of past events!

Much has already been accomplished by the stern and inflexible democracy of New Hampshire, in promoting the cause of equal rights and in sustaining the demands of just and constitutional privileges. Let us steadfastly maintain the positions we have assumed. True it is, that the history of our own State, for the last half century, has not seemed to require a full and explicit exposition of those great principles which are now deemed as essentially connected with human rights. Such has been the even tenor of our way, such has been the course of past events, that there has not occurred any such conflict in the application of those constitutional provisions, as necessarily to call forth, until recently, any general discussion of the subject. But the diversified concerns of man have in more modern times raised the direct question: What are the rights and privileges of the citizen as guaranteed by the constitution?—and what powers have public and private corporations over those individual rights?

These momentous considerations have been within the few last years addressed to the intelligence and patriotism of our State. The sovereign power has responded, and our course should be onward. We cannot recede. *The people's will should be the agent's guide.*

We cannot fail to love our own country, "its soil, its equality, liberty, laws and manners." It was once said by Mr. Jefferson,—"How little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy." They should realize "how much it is their interest to preserve uninfected by contagion, those peculiarities in their government and manners to which they are indebted for those blessings." Political liberty and equality are the boasted boons of our people. They belong to us, and these pure principles will continue to warm the current of our feelings and rivet the affections of our hearts to our State and government.

At the close of the present political year, I shall have filled the office of Chief Executive Magistrate for that period of time, which cannot fail to admonish me of the propriety of *then* yielding my place to another, and of returning to my constituents with an account of my public stewardship. Entertaining these sentiments, and aware that the time is at hand, when, according to long usage, a candidate for this office, for the year next succeeding the present, will be put in nomination; and while I shall ever hold in grateful remembrance the distinguished honors which have been conferred upon me; I desire distinctly to announce to my fellow citizens, that I must decline being considered among the number of those from whom a selection will have to be made.

It will be perceived that in this, my last address to the legislature, I have not recommended any alteration in our present system of laws. My suggestions have been of a very general character, but it is to be hoped that they will be found neither inappropriate nor unprofitable in their influence upon the future legislation of the State:

We owe it to ourselves, as well as to our constituents, to give evidence of our devotion to their interests by practising a judicious economy. We should pursue with diligence whatever shall be necessary to be done.

It becomes us who occupy for a time these responsible places, to exert for the people our best efforts and all our habits of industry, while employed in the public service. Time is money, and we should strive to continue this session no longer than shall be necessary for the transaction of the public business. Let us exhibit an example worthy of imitation; give precepts worthy of

ourselves; show forth our steadfast zeal in the cause of human rights and our untiring devotion to the cause of human liberty. And be assured that I shall be ready, at all times and on all occasions while in office, to co-operate with you in the adoption of any constitutional measure promotive of the interests and happiness of the people.

HENRY HUBBARD.

Executive Chamber, June 8th, 1843."

His Excellency the Governor then delivered to the President of the Senate and to the Speaker of the House of Representatives severally, a written copy of the foregoing address.

His Excellency the Governor, attended by the Honorable, the Council, then returned to the Council Chamber.

On motion of Mr. Smith of the Senate—

The Convention rose and the Senate withdrew.

#### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Colby—

*Ordered*, That the address of His Excellency the Governor lie upon the table, and that the Clerk be directed to procure one thousand printed copies for the use of the House.

On motion of Mr. Butler—

*Resolved*, That when the House adjourns this forenoon, they adjourn to meet again at ten o'clock to-morrow forenoon.

On motion of Mr. Goodwin—

The House adjourned.

#### FRIDAY, JUNE 9, 1843.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows :

*"To the Senate and House of Representatives :*

I herewith transmit the annual report of the Warden of the State Prison, giving a statement of the receipts and expenditures

for the year ending April 30th, 1843, accompanied with communications from the Physician and Chaplain of the Prison.

HENRY HUBBARD.

Council Chamber, June 8th, 1843."

On motion of Mr. Wilson of Lee—

*Resolved*, That the message of His Excellency the Governor, with the accompanying reports lie on the table, and that the Clerk be directed to procure five hundred printed copies for the use of the House.

On motion of Mr. Howe of Rindge—

*Resolved*, That each member of the House be required to leave with the door keepers, a memorandum of his name, place of residence, and boarding house, immediately after the adjournment this forenoon.

Mr. Emery gave notice that on Monday next he shall ask leave to introduce a bill, in addition to chapter 145 of the "Revised Statutes of the State of New Hampshire," having for its object the extension of the provisions of that chapter relating to societies for the promotion of the cause of temperance.

Mr. Atwood of Pelham, from the committee appointed to nominate doorkeepers, made a report;

Whereupon—

*Resolved*, That Robert Hale and Reuben D. Mooers be doorkeepers of the House for the present session.

On motion of Mr. Hibbard—

*Resolved*, That the House are ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the constitution—

On motion of Mr. Colby of the Senate—

The convention proceeded to fill the vacancies in Senatorial Districts, Nos. 4, 5 and 9.

On motion of Mr. Hoskins of the Senate—

The convention proceeded to choose by ballot a Senator for District No. 4.

On the first balloting, the chairman of the convention announced the state of the vote as follows :

|                             |      |
|-----------------------------|------|
| Whole number of votes cast, | 228  |
| Necessary to a choice,      | 112  |
| James Batcheller has        | 2    |
| Jeremiah Kingman has        | 3    |
| James Cochran has           | 61   |
| Isaac Hale has              | 157; |

And Isaac Hale was accordingly declared elected Senator from District No. 4.

The convention proceeded to choose by ballot a Senator for District No. 5.

On the first balloting the chairman of the convention announced the state of the vote as follows :

|                             |      |
|-----------------------------|------|
| Whole number of votes cast, | 222  |
| Necessary to a choice,      | 112  |
| Andrew Pierce has           | 1    |
| Charles Dennett has         | 2    |
| Jeremiah Kingman has        | 71   |
| Andrew Pierce, jr. has      | 148; |

And Andrew Pierce, jr. was accordingly declared elected Senator from District No. 5.

The convention proceeded to choose by ballot a Senator for District No. 9.

On the first balloting the chairman of the convention announced the state of the vote as follows :

|                             |      |
|-----------------------------|------|
| Whole number of votes cast, | 231  |
| Necessary to a choice,      | 116  |
| James Batcheller has        | 74   |
| Elijah Carpenter has        | 157; |

And Elijah Carpenter was accordingly declared elected Senator from District No. 9.

On motion of Mr. Colby of the Senate—

*Resolved*, That the Secretary of State be directed to notify Isaac Hale, Senator elect from District No. 4, Andrew Pierce, jr. Senator elect from District No. 5, and Elijah Carpenter Senator elect from District No. 9, of their election as Senators from said Districts respectively.

On motion of Mr. Hibbard of the House—

The Convention proceeded to open read and record the returns of votes for Counsellors from the several Counsellor Districts in this State, and completed the same.

On motion of Mr. Smith of the Senate—

*Resolved,* That said returns of votes be referred to a select committee, with instructions to sort and count the same, cast their numbers, and report thereon.

*Ordered,* That Messrs. Smith of the Senate, Curtice and Stevens of the House, be the committee.

On motion of Mr. Warner of the Senate—

The Convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Barker—

The House adjourned.

### AFTERNOON.

Mr. Cook of Tamworth, from the select committee appointed to extend an invitation to the several reverend clergymen who are members of the House, to officiate alternately as chaplains during the present session, reported that they had attended to the duty assigned them and that those gentlemen have accepted said invitation, and will enter upon the discharge of their duties to-morrow morning at a quarter before ten o'clock.

Which report was accepted.

Mr. Sawyer gave notice that he shall on Monday next ask leave to introduce a bill, entitled "An act to punish cheating by false pretences."

Mr. Wight, from the select committee appointed to prepare and report rules for the government of the House during the present session, reported the following

### RULES FOR THE GOVERNMENT OF THE HOUSE.

#### OF THE DUTY OF THE SPEAKER.

1. The Speaker shall take the Chair precisely at the hour to which the House shall have adjourned, shall immediately call the

members to order, and at the commencement of each day's session, shall cause the journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak on points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order subject to an appeal to the House by any two members. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the case may be,) say Aye?" and after the affirmative vote is expressed, "As many as are of a contrary opinion, say No." If the Speaker doubts, or a division be called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and stand till they be counted, and afterwards those in the negative shall rise and stand till they be counted. The Speaker shall then rise and state the decision of the House.

3. He shall rise to put a question, but may state it sitting.

4. All committees shall be appointed by the Speaker, unless otherwise directed by the House.

5. The Speaker shall designate to which of the standing committees all memorials, petitions, accounts, or other matters shall be referred, unless otherwise ordered by the House.

6. The Speaker shall vote in no case, unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal; and in case of such equal division, the question shall be lost.

7. All acts, addresses and joint resolutions shall be signed by the Speaker; and all writs, warrants or subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

8. In case of any disturbance or disorderly conduct in the galleries, the Speaker or chairman of the committee of the whole House, shall have the power to order the same to be cleared.

9. No person but the members and officers of the House, members of the Council, and members of the Senate, the Secretary of State, Treasurer, and Clerks of the Senate, shall be admitted within the door of the Representatives' chamber, unless by invitation of the Speaker, or of some member of the House with the consent of the Speaker, except in public hearings, the parties, their counsel and witnesses.

10. The Speaker shall have power to substitute any member to perform the duties of the chair, such substitution not to extend beyond an adjournment.

## OF DECORUM AND DEBATE.

11. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr. Speaker.

12. If any member transgress the rules of the House, the Speaker shall, or any other member may call him to order; in which case the member so called to order, shall immediately sit down; and the question of order shall then be distinctly stated from the chair; after which the member so called to order, may explain, and the question shall be open to debate, as in other cases, and be decided by the Speaker, whose decision shall be submitted to, unless an appeal be made to the House by a member, in which case, the only question shall be "Is the Speaker's decision correct?"—which shall be decided without debate. If the decision be in favor of the member so called to order, he may proceed; if otherwise, and the case shall require it, he shall be liable to the censure of the House.

13. In all cases, the member first rising shall speak first.—When two members rise at the same time, the Speaker shall name the person to speak.

14. No member shall speak more than twice to the same question, without leave of the House, nor more than once until every member choosing to speak shall have spoken; and if a question be lost by adjournment of the House, and revived on the succeeding day, no member who shall have spoken thereon twice, on the preceding day, shall be permitted again to speak on it without leave.

15. While the Speaker is putting any question, or addressing the House, no one shall walk out of, or across the House; nor in such case, or when a member is speaking, shall entertain private discourse, nor whilst a member is speaking, shall pass between him and the Chair, nor shall any member leave his seat while the yeas and nays are calling.

16. No member shall vote on any question in the event of which he is directly interested; or in any case where he was not present when the question was put.

17. Every member who shall be in the House when a question is put, shall give his vote, unless the House, for special reasons, shall excuse him.

18. No motion shall be debated until the same shall be seconded and stated from the chair—and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the

Speaker, or any member, delivered in at the table, and read by the Speaker, before the same shall be debated.

19. No petition shall be received by the House, unless it be presented by a member thereof; and upon motion made for that purpose, nor until the substance of said petition be concisely minuted and the name of the member and town he represents recorded upon the back thereof: and it shall be the duty of the Speaker, whenever any motion relative to a petition is to be stated to the House, to state, in the first place, the substance of the petition, as minuted on the back thereof.

20. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before a division or amendment.

21. When a question is under debate, no motion shall be received, but, 1st, to adjourn; 2d, to lie on the table; 3d, to postpone indefinitely; 4th, to postpone to a day certain; 5th, to commit; and 6th, to amend; which several motions shall have precedence in the order in which they are arranged. Motions to adjourn and lie on the table, shall be decided without debate.

22. When a question is postponed indefinitely, the same shall not be acted upon during the session.

23. Any member may call for the division of a question, when the sense will admit of it.

24. A motion for commitment, until it is decided, shall preclude all amendment of the main question—and all motions and reports may be committed at the pleasure of the House.

25. No new motion shall be admitted under color of amendment, as a substitute for the motion under debate.

26. No vote shall be reconsidered, unless the motion for reconsideration be made by a member who voted with the majority, nor unless notice of such motion be given on the same day on which the vote passed, or on the next day between the hours of ten and twelve o'clock.

27. When the reading of a paper is called for and objected to by any member, it shall be determined by a vote of the House.

28. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of two other committees, who have not reported. No member shall nominate more than one person for the same committee, provided the person nominated shall be chosen; nor shall any person, after having been himself appointed, nominate one for the same committee.

29. Each member shall seasonably and punctually attend his duty in the House; and no one shall absent himself from the ser-

vice of the House, unless he have leave, or be sick and unable to attend.

30. When the House adjourns, each member shall rise and keep his place until the Speaker leaves the chair.

31. The Speaker shall appoint a sergeant-at-arms whenever it may be necessary to execute the commands of the House and process issued by authority.

### OF STANDING COMMITTEES.

32. The following standing committees shall be appointed early in the June session.

A committee on Elections; a committee on the Judiciary; a committee on Banks; a committee on the State Prison; and a committee on Public Lands—to consist of ten members each.

A committee on Agriculture and Manufactures; a committee on Finance; a committee on Military Affairs; a committee on Education; a committee on Incorporations; a committee on Towns and Parishes; and a committee on Roads, Bridges and Canals—to consist of nine members each.

A committee on Unfinished Business—to consist of seven members.

A committee on Bills on their Second Reading; a committee on Printers' Accounts; a committee on Military Accounts; and a committee on Claims—to consist of five members each.

A committee on the Alteration of Names—to consist of three members.

It shall be the duty of the committee on Elections, to examine and report upon the certificates or other credentials of the election of the members returned to serve in this House, and to take into consideration all such petitions and other matters, in relation to elections and returns, as shall or may be presented, or come in question, and shall be referred to them by the House.

It shall be the duty of the committee on the Judiciary, to take into their consideration all matters in relation to the judiciary system of this State; to examine and report what laws have expired or are near expiring, and require to be revived or further continued, and report their opinion on all constitutional questions that may be referred to them by the House.

It shall be the duty of the committee on Banks, to consider all applications for the incorporation of banks, and all subjects relating to such institutions, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on the State Prison, to take into consideration all matters in relation to the State Prison, to examine all the reports and accounts that may be submitted by the Warden, and make such report, either by bill or otherwise, as they think the interest of the State requires.

It shall be the duty of the committee on Public Lands, to consider all proposals and applications for the sale of public lands, and every matter in relation to them, that may be referred to the committee by the House, and to report thereon.

It shall be the duty of the committee on Agriculture and Manufactures, to take into their consideration all matters concerning the agricultural and manufacturing interests of the State, and the incorporation of agricultural societies and factories, that shall be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Finance, to examine and take into their consideration the state of the treasury; to report what sum it may be necessary to raise as a State tax, and on every subject touching the financial interest of the State, that may be referred to them by the House.

It shall be the duty of the Military committee, to consider all applications for altering or amending laws regulating the militia of this State, and for the removal of military officers, and to report thereon.

It shall be the duty of the committee on Roads, Bridges and Canals, to consider all applications for the incorporation of turnpikes, railroads, bridges or canals, and for the alteration of tolls, and all matters relative thereto, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Education, to consider all subjects relative to the regulation of school districts and schools, and all matters concerning education that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Towns and Parishes, to consider all applications for the incorporation of towns or parishes, for the alteration of town or parish lines, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Incorporations, to consider and report on all applications for acts of incorporation, and all other matters which may come in question relative to bodies corporate, that may be referred to them by the House, excepting those relating to towns, parishes, turnpikes, railroads, canals, banks, agricultural societies and factories.

It shall be the duty of the committee on Unfinished Business,

to examine and report from the journals of the last session, all such matters as were then pending and undetermined.

It shall be the duty of the committee on Bills on their Second Reading, to take into consideration all bills on the second reading, that may be committed for amendment, or otherwise, and to make such report thereon as they may think expedient.

It shall be the duty of the committee on Printers' Accounts, to examine and adjust all accounts against the State for printing, and every subject relating to such accounts, that may be referred to them by the House, and report thereon.

It shall be the duty of the committee on Military Accounts, to examine, adjust and report on all accounts relative to the militia, that may be referred to them by the House.

It shall be the duty of the committee on Claims, to audit, adjust and report on all accounts and claims that may be presented for allowance, except accounts for printing, military accounts and accounts for engrossing bills.

33. All other committees shall consist of three members unless otherwise ordered.

34. The standing committees shall attend at their respective committee rooms two hours before the meeting of the House in the morning, and at such other times as the House shall order, and no committee shall sit during the sitting of the House, unless when the Speaker shall consider it to be necessary.

35. The first named member of any committee, appointed by the Speaker of the House, shall be the chairman; and in case of his absence or being excused by the House, the next named member, and so on as often as the case shall happen, unless the committee, by a majority of the number elect a chairman. And when any committee shall report otherwise than by bill, they shall, if the subject admit of it, subjoin to their report a resolution making such disposition of the matter committed to them as to the committee shall seem expedient.

#### ON BILLS.

36. Every bill shall be introduced by motion for leave, or by an order of the House, on the report of a committee; and no bill shall be introduced by any member, (except on the report of a committee,) unless he shall have given at least one day's notice of his intention, and the object of the bill to be introduced.

37. Every bill shall receive three several readings in the House previous to its passage; the first reading shall be for information,

and if not rejected, a time shall be assigned for a second reading, and upon the second reading, if not rejected, or committed, or postponed, or laid on the table, a time shall be assigned for a third reading. And in all cases the time assigned for the third reading of a bill shall be on some subsequent day. And all bills for a second reading, shall be assigned for 11 o'clock in the forenoon, and all bills for a third reading for 3 o'clock in the afternoon, unless otherwise ordered by the House.

38. No amendment shall be made, but upon the second reading of a bill or joint resolution, and all resolutions shall be in writing, with the name of the member and the town he represents on the back thereof.

39. Before any bill, resolution or vote shall be sent to the Senate the Speaker shall read the vote, resolution, or title of the bill. All bills, and all votes and resolutions, that are necessary to be carried to the Senate for their concurrence may be sent by the Assistant Clerk.

#### OF COMMITTEES OF THE WHOLE HOUSE.

40. The House may resolve itself into a committee of the whole House, at any time, on the motion of a member made for that purpose; and in forming a committee of the whole House, the Speaker shall leave the chair, and a chairman to preside in committee shall be appointed by the Speaker.

41. Upon bills and resolutions committed to a committee of the whole House, the bill or resolution shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble of the bills to be last considered; the body of the bill or resolution shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report, the bill or resolution shall again be subject to be debated and amended by clauses, before a question to pass it to a third reading be taken.

42. The rules of proceeding in the House, shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking.

43. No standing rule or order of the House shall be rescinded, without one day's notice being given of the motion therefor; nor suspended, unless by a vote therefor of two thirds of the members present.

## ORDER OF BUSINESS OF THE DAY.

44. As soon as the journal is read, the Speaker shall call for petitions from the members of the respective counties, beginning with the county of Rockingham. The petitions having been presented and disposed of, reports, first from the standing, and then from the select committees shall be called for and disposed of. And the above business shall be done in no other part of the day, except by permission of the House.

45. The unfinished business in which the House was engaged at the last preceding adjournment, shall have the preference over all other business, except the general order of the day, and no motion on any other business, except the general order of the day shall be received without special leave of the House, until the former is disposed of.

On motion of Mr Smith of Bradford—

*Resolved*, That said rules be adopted as the rules for the government of the House during the present session.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, appointing a joint select committee to prepare and report joint rules for the government of the two Houses during the present session, and have on their part joined Mr. Hale.”

On motion of Mr. Sturtevant—

*Resolved*, That a select committee be appointed on the part of the House, with such as the Senate may join, to procure three hundred printed copies of the rules of the House and the joint rules of the two Houses, the Constitution of the United States, the Constitution of the State of New Hampshire, the names of the several members of the Legislature and its officers, together with a list of the standing committees in each of its branches for the use of both branches of the Legislature the present session.

*Ordered*, That Messrs. Sturtevant, Brown of Sandbornton and Burnham be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Peirce of Dover, from the joint select committee appointed to prepare and report joint rules for the government of both

branches of the Legislature during the present session reported the following

## JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. When a Convention of the two Houses is to be formed, whether by requirement of the Constitution, or by a vote or resolve of the two Houses, a message shall be sent from the House of Representatives to the Senate, giving notice when the House will meet the Senate in Convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be chairman of the Convention, and shall state the reason for forming the Convention. When the House and Senate are thus formed in Convention, the rules adopted as the rules of the House, shall be considered the rules of the Convention, so far as they may be deemed applicable, and the Convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons as a sense of propriety, in each House, may determine to be proper.

3. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it may be sent by the door-keeper.

4. While bills are on their passage between the two Houses, they shall be under the signature of the Clerk of each House respectively.

5. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that pass both Houses shall be delivered to said committee, be by them engrossed, carefully examined, and reported to the respective Houses; and shall be signed, first by the Speaker of the House of Representatives, then by the President of the Senate.

6. There shall be a committee, to consist of three members of the House and one of the Senate, on each of the following subjects, to wit:—

On all matters relative to the State Library, and on all matters relative to the State House and State House Yard.

7. When a bill or resolve, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

8. Each House shall transmit to the other, all papers on which any bill or resolve shall be founded.

9. Each House shall transmit to the other all bills which have passed their several stages in the House in which they originated,

at least twenty-four hours before the time fixed on for adjournment.

10. After each House shall have adhered to their disagreement, a bill or resolve shall be considered lost.

On motion of Mr. Peirce of Dover—

*Resolved*, That said rules be adopted on the part of the House as the joint rules of the two Houses.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Haley gave notice that on Monday next, he shall ask leave to introduce a bill relating to the Court of Probate in the county of Carroll.

On motion of Mr. Durgin—

*Resolved*, That a select committee be appointed on the part of the House, with such as the Senate may join, to assign committee rooms to the several standing committees of the Legislature.

*Ordered*, That Messrs. Durgin, Daniell and Barker be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Agreeably to previous notice and by leave, Mr. Peirce of Dover introduced a bill, entitled, "An act in amendment of chap. 28 of the Revised Statutes;"

Which was read a first and second time.

On motion of Mr. Peirce of Dover—

*Ordered*, That said bill lie upon the table.

Mr. Clark of Manchester, gave notice that he will on Monday next ask leave to introduce a bill in amendment of chapter 186 of the Revised Statutes, relating to arrests and bail.

Mr. Tudor moved that the House adjourn;

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

On motion of Mr. Cook of Tamworth—

*Resolved*, That a committee be appointed to inform His Excellency the Governor, and the Honorable the Council, and Senate, that prayers will be offered in the Representatives' Hall at a quarter before ten o'clock in the forenoon of each day of the session, and invite their attendance.

*Ordered*, That Messrs. Cook of Tamworth, Perkins of Centre Harbor and Philips be the committee.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee to assign committee rooms to the several standing committees of the Legislature, and have on their part joined Mr. Warner."

On motion of Mr. Bissell—

The House adjourned.

## SATURDAY, JUNE 10, 1843.

Amos A. Parker having been duly qualified as a representative from the town of Fitzwilliam, was introduced by the Secretary of State and took his seat.

The Speaker announced the appointment of the following

### STANDING COMMITTEES.

*On Elections.*—Messrs. Butler, Stevens, Sawyer, Tilton of Sandbornton, Woodbury, Curtice, Bishop, Wilson of Sullivan, Page of Sutton and Bunton.

*On the Judiciary.*—Messrs. Hibbard, Handerson of Keene, Peirce of Dover, Atwood of Hillsborough, Clark of Manchester, Clarke of Atkinson, Crosby, Smith of Bradford, Laws and Batchelder of Epping.

*On Banks.*—Messrs. Huntoon, Kimball, Poor of Goffstown, George, Odlin, Pevey, Sceva of Andover, Giffin, Stokes and Plumer.

*On the State Prison.*—Messrs. Thompson, Arven, Brewster, Wilson of Lee, McKean, Howe of Rindge, Smith of Grantham, Whitney, Lord and Eastman of Jackson.

*On the Public Lands.*—Messrs. Drown, Prescott, Brown of Sandbornton, McDaniel, Daniell, Todd, Morgan of Plainfield, Robbe, Quimby and Bartlett.

*On Towns and Parishes.*—Messrs. Barton, Nay, Haley, Tudor, Walker of Merrimack, Bissell, Morgan of Bow, Cook of Tamworth and Holden.

*On Education.*—Messrs. Parker of Fitzwilliam, Barber, Fisk, Dodge of New Boston, Brown of Chester, Clark of Northfield, Martin, Eastman of Haverhill and Noble.

*On Roads, Bridges and Canals.*—Messrs. Foss of Stratham, Gookin, Whitchee, Boardman, Ballou, Emery, Little, Peabody and Beckwith.

*On Incorporations.*—Messrs. Colby of Weare, Dow, Oliver, Barrett, Peaslee, Freeman, Meserve of Madbury, Felt and Mallard.

*On Agriculture and Manufactures.*—Messrs. Gunnison, Ayer, Hammond, Drake of Moultonborough, Liscomb, Walker of Barnstead, Clough of Warren, Taylor of Canterbury and Whittemore of Bennington.

*On Finance.*—Messrs. Rowell, Goodwin, Richards, Jenness of Piermont, Demeritt, Tilton of Meredith, Drake of Effingham, Follansbee of Grafton and Meserve of Jefferson.

*On Military Affairs.*—Messrs. Durgin, Barker, Atwood of Pelham, Burns, Glover, Garnsey, Taylor of Derry, Jenness of Dover and Batchelder of Loudon.

*On Unfinished Business.*—Messrs. Follansbee of Peterborough, Dana, Smith of Mason, Leavitt, Willey, Bowles and White.

*On Bills on their Second Reading.*—Messrs. Downing, Wight, Wilkins, Hoyt of Dunbarton and Judkin.

*On Printers' Accounts.*—Messrs. Paige of Weare, Sturtevant, Thurston, Crawford and Badger.

*On Military Accounts.*—Messrs. Burnham, Shannon, Furber, Wood and Perkins of Pittsburg.

*On Claims.*—Messrs. Taylor of Stoddard, Dinsmore of Derry, Robertson, Clough of Orange and Skinner.

*On the Alteration of Names.*—Messrs. Towle of New Market, Howe of Henniker and Seavey of Chichester.

#### JOINT COMMITTEES.

*On Engrossed Bills.*—Messrs. Flint and Poor of Landaff.

*On the Library.*—Messrs. Cheever, Preston and Fifield.

• *On the State House and State House Yard.*—Messrs. Manning, Lawrence and Roberts.

Mr. Durgin, from the joint select committee, appointed to assign committee rooms to the several standing committees of the Legislature, by leave, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened,* That ~~the~~ committee rooms numbered 6, 7 and 8, be occupied by committees of the Senate, and the following rooms by committees of the House of Representatives—viz:

No. 1, by committees on Elections and Banks;

No. 2, by committees on Incorporations and the Alteration of Names;

No. 3, by committees on Agriculture and Manufactures and on Finance;

No. 4, by committees on Roads, Bridges and Canals and on Public Lands;

No. 5, by committees on Claims and on Printers' Accounts;

No. 9, by committees on Unfinished Business, on the State Prison and on Bills on their Second Reading;

No. 10, by the committee on the Judiciary;

No. 11, by committees on Military Affairs and on Military Accounts;

No. 12, by committees on Education and on the Library;

No. 13, by committees on Towns and Parishes and the select committees;

No. 6, by the committee on Engrossed Bills;

No. 8, by the committee on the State House and the State House Yard.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion of Mr. Barker—

*Resolved,* That when the House adjourn this forenoon, they adjourn to meet again on Monday next at two o'clock in the afternoon.

Mr. Boardman laid before the House a statement of the votes of the town of Nashville on the second Tuesday of March last, upon the question of a reunion of the towns of Nashua and Nashville, taken agreeably to a resolution of the House at the last session.

On motion of Mr. Boardman—

*Ordered*, That it be referred to the committee on Towns and Parishes.

A message from the Senate by their Clerk :

“ Mr. Speaker—The Senate have passed the resolution reported by the joint select committee, assigning committee rooms to the several standing committees of the Legislature.”

On motion of Mr. Butler—

*Resolved*, That the House are ready to meet the Senate in Convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

[Mr. Parker of Fitzwilliam in the Chair.]

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution,

Mr. Smith of the Senate, from the select committee appointed to receive the returns of votes for Counsellors in the several Counsellor Districts in this State, with instructions to sort and count their numbers, and report thereon,

### REPORTED,

That in District No. 1, the whole number of votes returned is

|                          |       |
|--------------------------|-------|
|                          | 9,423 |
| Necessary for a choice,  | 4,717 |
| Estimated as scattering, | 173   |
| Noah Piper has           | 737   |
| James B. Creighton has   | 1,657 |
| William Cheate has       | 2,675 |
| Elijah R. Currier has    | 4,181 |

No person having the requisite number of votes there is no choice.

Elijah R. Currier and William Cheate are the two highest candidates.

In District No. 2, the whole number of votes returned is 8,366  
 Necessary to a choice, 4,184  
 Estimated as scattering, 35  
 Josiah Dearborn has 790  
 Jeremiah Wilson has 2,008  
 Samuel G. Berry has 5,623  
 and is elected.

In District No. 3, the whole number of votes returned is 10,039  
 Necessary to a choice, 5,020  
 Estimated as scattering, 245  
 Frederick G. Stark has 746  
 Jesse Woodbury has 946  
 Henry B. Chase has 2,578  
 James M'K. Wilkins has 5,526  
 and is elected.

In District No. 4, the whole number of votes returned is 7,891  
 Necessary to a choice, 3,946  
 Estimated as scattering, 3  
 Alvah Smith has 3,865  
 Francis Holbrook has 4,023  
 and is elected.

In District No. 5, the whole number of votes returned is 7,046  
 Necessary to a choice, 3,524  
 Estimated as scattering, 28  
 Moses Webster has 233  
 Levi Parker has 826  
 Ira Young has 2,103  
 James H. Johnson has 3,856  
 and is elected.

Which report, on motion of Mr. Hoskins of the Senate, was accepted.

On motion of Mr. Hoskins of the Senate—

The Convention proceeded to elect by ballot a Counsellor for Counsellor District No. 1.

On the first balloting, the chairman of the convention announced the state of the vote as follows :

|                             |     |
|-----------------------------|-----|
| Whole number of votes cast, | 201 |
| Necessary to a choice,      | 102 |
| William Choate has          | 51  |
| Elijah R. Currier has       | 150 |

And Elijah R. Currier was accordingly declared elected.

On motion of Mr. Durgin—

The Convention rose and the Senate withdrew.

## IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Durgin—

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, to wait upon His Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, to wit:

From District No. 1, Elijah R. Currier.

“ “ 2, Samuel G. Berry.

“ “ 3, James M'K. Wilkins.

“ “ 4, Francis Holbrook.

“ “ 5, James H. Johnson.

\* *Ordered*, That Messrs. Durgin, Clarke of Atkinson and Tudor be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

“ Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a joint select committee to procure three hundred printed copies of the rules of the House, the joint rules of the two Houses, the Constitution of the United States, the Constitution of the State of New Hampshire, the names of the several members of the Legislature and its officers, together with a list of the standing committees in each of its branches for the use of both branches of the Legislature the present session, and have on their part joined Mr. Swett.”

On motion of Mr. Bissell—

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, for the purpose of fixing on a day on which the business of the present session may be brought to a close.

*Ordered*, That Messrs. Bissell, Smith of Bradford and Dow be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Barber—

**Resolved**, That a committee be appointed on the part of the House, with such as the Senate may join, to audit the accounts of the Treasurer of this State.

**Ordered**, That Messrs. Barber, Goodwin and Metcalf be the committee on the part of the House.

**Ordered**, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Prescott—

**Resolved**, That a committee be appointed to take into consideration the message of His Excellency the Governor and report what disposition shall be made of the several subjects embraced therein.

**Ordered**, That Messrs. Prescott, Clark of Dover and Buzzell be the committee.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, appointing a joint select committee to wait upon His Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, viz:

From District No. 1, Elijah R. Currier;

“ “ 2, Samuel G. Berry;

“ “ 3, James M<sup>r</sup>K. Wilkins;

“ “ 4, Francis Holbrook;

“ “ 5, James H. Johnson;

And have on their part joined Mr. Hoskins.

The Senate have adopted the joint rules reported by the joint select committee appointed to prepare and report joint rules for the government of the two Houses the present session.”

Mr. Durgin, from the joint select committee appointed to wait on His Excellency the Governor and inform him of the election of Counsellors, reported that they had attended to the duty assigned them.

On motion of Mr. Smith of Mason—

The House adjourned.

MONDAY, JUNE 12, 1843.

[Mr. Parker of Fitzwilliam in the chair.]

Mr. Cook, from the select committee appointed to inform His Excellency the Governor, and the Hon. the Council, and Senate that prayers would be offered in the Representatives' Hall, at a quarter before ten o'clock in the forenoon of each day of the session, and to invite their attendance, by leave, reported that they had attended to that duty.

Mr. Boardman, by leave, presented the petition of Jane McDavitt, praying for the alteration of her name.

*Ordered*, That it be referred to the committee on the Alteration of Names.

Mr. Boardman, by leave, presented the petition of A. M. Sawyer and 142 others, praying for an alteration of the laws, relative to the present system of appointing officers in the militia;

Mr. Metcalf, by leave, presented the petition of field officers of the 31st regiment of N. H. militia, praying for the removal of officers;

Mr. Bissell, by leave, presented the petition of officers of the 13th regiment of N. H. militia, praying for the removal of an officer;

Mr. Peirce of Dover, by leave, presented the petition of officers and soldiers of the Dover Artillery company, praying for a grant of two pieces of six pound brass ordnance for the use of said company;

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Hibbard, by leave, presented the memorial of John McDaniel, praying for an amendment of the act incorporating the Concord Railroad corporation;

Mr. Hibbard, by leave, presented the petition of Joel Angier, jr., praying for an alteration of the law relating to taxation;

*Ordered*, That said memorial and petition be referred to the committee on the Judiciary.

Mr. Peasley, by leave, presented the petition of the Selectmen and sundry inhabitants of the town of Newbury, remonstrating against granting the prayer of the petition of Stephen Collins and others, that a portion of land be severed from said town of Newbury and annexed to the town of Goshen; also, a statement of the vote of said town of Newbury on the second Tuesday of March last, upon said subject;

Mr. Gunnison, by leave, presented the petition of Stephen

Collins and others, praying that a tract of land may be severed from the town of Newbury and annexed to the town of Goshen;

Mr. Baldwin, by leave, laid before the House a statement of the vote of the town of Nashua, on the second Tuesday of March last, upon the subject of a re-union of the towns of Nashua and Nashville, taken agreeably to a resolution of the Legislature at the last session;

*Ordered*, That said petitions and statements be referred to the committee on Towns and Parishes.

Mr. Sargent, by leave, presented the petition of John Fuller and others, citizens of the town of Bridgewater, and Robert Mitchell and others, citizens of the town of Plymouth, praying for the erection of a new school district;

Mr. Clarke of Atkinson, by leave, presented the petition of Thomas Carter and others, citizens of the towns of Newtown and Kingston, praying for the erection of a new school district to be called the "Newtown and Kingston union school district;"

Mr. Handerson of Keene, by leave presented the petition of Salma Hale and others, praying for an alteration of the law in relation to common schools;

*Ordered*, That said petitions be referred to the committee on Education.

Mr. Handerson of Keene, by leave, presented the account of Benaiah Cooke;

*Ordered*, That it be referred to the committee on Printers' Accounts.

Mr. Knowlton of Portsmouth, by leave presented the account of William Rymes, Commissary General;

*Ordered*, That it be referred to the committee on Military Accounts.

Mr. Ayer, by leave, presented the petition of the President, Directors and Company of the Concord Bank, praying that the sum of five hundred dollars and interest be refunded to said bank.

*Ordered*, That it be referred to the committee on Banks.

Mr. Oliver, by leave presented the petition of John Tarleton, 2d, praying for the alteration of his name;

*Ordered*, That it be referred to the committee on the Alteration of Names.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows :

*"To the Senate and House of Representatives :*

I herewith transmit for your consideration sundry resolutions

adopted by the Senate and House of Representatives of the States of Georgia and Alabama, upon the subject of the repudiation of State debts and upon the subject of the assumption of the State debts by the general government.

**HENRY HUBBARD.**

Council Chamber, June 10, 1843."

On motion of Mr. Colby—

*Ordered*, That the message of His Excellency the Governor, with the accompanying documents lie upon the table.

Agreeably to previous notice and by leave, Mr. Sawyer introduced a bill entitled "An act to punish cheating by false pretences,"

Which was read a first and second time.

On motion of Mr. Sawyer—

*Ordered*, That said bill be referred to the committee on the Judiciary.

Agreeably to previous notice and by leave, Mr. Haley introduced a bill entitled "An act to alter one of the times of holding the Court of Probate in the county of Carroll,"

Which was read a first and second time.

On motion of Mr. Haley—

*Ordered*, That said bill be referred to the committee on bills on their second reading.

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the bill entitled "An act in amendment of chapter 28 of the Revised Statutes."

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Liseomb gave notice that he shall, on Wednesday next, ask leave to introduce a bill to incorporate the Northern Railroad corporation.

On motion of Mr. Durgin—

The House adjourned.

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**TUESDAY, JUNE 13, 1843.**

Mr. Peirce of Dover, presented the petition of Eri Perkins and 37 others;

Mr. Smart presented the petition of Charles Dennett and others, citizens of the town of Rochester;

All praying for an amendment of the license laws.

Mr. Rollins presented the petition of the Selectmen of the town of Somersworth, praying that the courts for the county of Strafford, be removed from Dover to Somersworth;

Mr. Gunnison presented the petition of Joshua Davis, praying for redress from a vexatious suit;

Mr. Walker presented the petition of Nathaniel Moore, praying for the passage of a law to secure his right to a ferry across Merrimack river, or a compensation for damages thereto;

Mr. Lawrence presented the petition of Robert Tuttle and others, citizens of the town of Carroll and the districts called Hart's Location, Nash & Sawyer's Location and Pinkham's Grant, praying for the passage of a law designating a central place for holding meetings for the choice of a Representative;

*Ordered*, That said petitions be referred to the committee on the Judiciary.

Mr. Smith of Mason presented the petition of Chandler Russell;

Mr. Emery presented the petition of William Brown;

Mr. Bachelder of Epping presented the petition of Elizabeth Whitehouse, Mary Whitehouse and Emiline H. Whitehouse;

Also the petition of John Savage;

Also the petition of James M. Whitehouse and Abigail Whitehouse;

Mr. George presented the petition of J. J. Pearay;

Also the petition of Modiline P. Howard;

Mr. Peasley presented the petition of D. Bailey, jr.;

Mr. Felt presented the petition of Charles Cutter, 2d;

All praying for the alteration of their respective names;

Mr. Little presented the petition of Jarvis Pike and Mary Pike, praying for the alteration of the name of George Pike Atwood.

*Ordered*, That said petitions be referred to the committee on the Alteration of Names.

Mr. Beckwith presented the petition of the officers and soldiers of the 1st Rifle company in the 28th regiment of N. H. militia, praying for an act of incorporation;

Mr. Arven presented the petition of field officers of the 37th regiment of N. H. militia, praying for the removal of officers;

Mr. Ross presented the petition of officers of the 24th regiment of N. H. Militia, praying for the removal of an officer;

Mr. Drown presented the petition of officers of the 24th regiment N. H. militia, praying for the removal of an officer;

Mr. Laws presented the petition of officers of the Washington Cadets in the 28th regiment, praying for the removal of an officer;

Mr. Wilson of Lee presented the petition of officers and soldiers of the Lafayette artillery in the 25th regiment, praying for the removal of an officer;

Mr. Peirce of Dover presented the petition of officers of the Dover artillery company, praying for an appropriation in payment of a balance expended in building a gun house;

Mr. Smith of Temple presented the petition of the field officers of the 22d regiment, and sundry inhabitants of the town of Temple, praying for the incorporation of a military company in that town;

Mr. Emery presented the petition of officers and soldiers of the 1st company of artillery in the 1st regiment of N. H. militia, praying for an appropriation for the purchase of harnesses and tumbrils;

Mr. Manning presented the petition of members of the Lafayette artillery company in the 22d regiment N. H. militia, praying for a new piece of ordnance and apparatus therefor;

Mr. Barker presented the petition of A. S. Tilden and others, praying for an alteration of the laws relating to appointments in the militia;

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Stewart presented the petition of C. H. Atherton, agent for closing the concerns of the Farmers' bank, praying for the passage of an act authorising the division of the stock of said bank;

Mr. Odlin presented the petition of B. Abbot, president of the Exeter bank, praying for the passage of an act authorizing the division of the stock of said bank;

*Ordered*, The said petitions be referred to the committee on Banks.

Mr. Meserve of Jefferson presented the petition of Hayes D. Copp and others, praying for the revocation of the charter of the turnpike from Jackson to Randolph;

*Ordered*, That it be referred to the committee on Incorporations.

Mr. Boardman presented the account of George W. Bagley;

*Ordered*, That it be referred to the committee on Military Accounts.

Mr. Forbes presented the petition of Jonathan Dickerson and

others, praying for an alteration of the name of the town of Hill to that of New Chester;

Mr. Lawrence presented the petition of Levi Parker, praying that a part of his farm may be severed from the town of Bartlett and annexed to the place called Hart's Location;

*Ordered*, That said petitions be referred to the committee on Towns and Parishes.

Mr. Thompson presented the petition of John L. Colby and 38 others, praying for the removal of Hon. Horace Chase, Judge of Probate for the county of Merrimack;

Also the petition of Chase Fowler and 20 others, praying for the same object.

On motion of Mr. Smith of Bradford—

*Ordered*, That said petitions be referred to a select committee consisting of the delegation from the county of Merrimack.

Mr. Follansbee of Peterborough, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of David A. Gregg and others, the petition of George Griffin and others, and the petition of Samuel Dickey and others, praying for the grant of a charter for a toll bridge across the Merrimack river between the towns of Litchfield and Merrimack, be referred to the committee on Roads, Bridges and Canals.

Mr. Follansbee of Peterborough, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That the bill entitled, "An act in amendment of an act entitled Revised Statutes of the State of New Hampshire," be referred to the committee on the Judiciary.

Mr. Follansbee of Peterborough, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That the petition of John Crocker and others, praying for the grant of a charter for a railroad from Somersworth to Conway and the petition of R. Armington and 45 others, praying for the grant of a charter for a toll bridge across the Connecticut river between the towns of Lyman N. H. and Barnet Vt. be referred to the committee on Roads, Bridges and Canals.

Mr. Leavitt, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of A. N. Brackett and others, praying for the passage of an act to remove and prevent timber

from obstructing the channel of Connecticut river in Coos county, be referred to the committee on the Judiciary.

Mr. White, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Abraham H. Chandler and others, praying that a part of school district numbered 10 in Haverhill be disannexed from said district and annexed to school district numbered 11 in Bath, for purposes of schooling, be referred to the committee on Education.

Mr. Smith of Mason, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Moses Walker and others, praying for the removal of certain officers in the 15th regiment; the petition of G. C. Freeman and others, for the removal of an officer in the 5th brigade and for the removal of officers in the 15th regiment of N. H. militia; the remonstrance of Reuben Luce and others and of Andrew Watkins jr. and others, against the removal of an officer in said 15th regiment; the remonstrance of officers, soldiers and citizens in said 15th regiment, and the remonstrance of J. W. Tappan and others, against the removal of an officer in said 15th regiment, be referred to the committee on Military Affairs.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of Joel Angier, jr., praying for an amendment of the laws relating to taxation, made a report,

Whereupon—

*Resolved*, That it is inexpedient at this time to legislate upon the subject.

Mr. Prescott, from the select committee, appointed to take into consideration the address of His Excellency the Governor and to report what disposition shall be made of the several subjects embraced therein, made a report,

Whereupon—

*Resolved*, That so much of the address of His Excellency the Governor as relates to the Judiciary, the Revised Statutes and the passage of public acts be referred to the committee on the Judiciary; that so much thereof as relates to primary schools, be referred to the committee on Education; that so much thereof as relates to the militia, be referred to the committee on Military Affairs; that so much thereof as relates to the geological and mineralogical survey of the State, be referred to the committee on Agriculture and Manufactures; that so much thereof as relates to the

State Prison, be referred to the committee on the State Prison; that so much thereof as relates to banks, be referred to the committee on Banks; that so much thereof as relates to corporations generally, be referred to the committee on Incorporations; and that so much thereof as relates to the subject of the tariff, be referred to a select committee of one from each county.

The Speaker announced the appointment of Messrs. Batchelder of Epping, Plumer, Sleeper of Alton, Thurston, Clark of Northfield, Baldwin, Webster, Knowlton of Wendell, Arven and Morse as the select committee to whom was referred so much of the address of His Excellency the Governor as relates to the tariff.

A message from the Senate by their Clerk :

“ Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, appointing a joint select committee for the purpose of fixing upon a day when the business of the present session may be brought to a close, and have on their part joined Mr. Hatch.

The Senate concur with the House in the appointment of a joint select committee to audit the accounts of the Treasurer of this State, and have on their part joined Mr. Morrill.”

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows:

“ *To the Hon. Senate and House of Representatives:*

I herewith transmit for your information, a copy of sundry resolution adopted by the legislatures of the States of Maine and Illinois, upon the subject of unqualifiedly refunding to Gen. Andrew Jackson the fine imposed upon him by Judge Hall.

HENRY HUBBARD.

Council Chamber, June 10, 1843.”

On motion of Mr. Ayer—

**Resolved**, That the message of His Excellency the Governor, with the accompanying documents, be referred to a select committee of ten.

**Ordered**, That Messrs. Ayer, Meloon, Rollins, French of Gilmanton, Parrish, Ware, Parker of Swanzey, Whittemore of Springfield, Bean and Ross be the committee.

On motion of Mr. Clark of Manchester—

*Resolved*, That the committee on the Judiciary be instructed to inquire what legislation, if any, is necessary in amendment of the two hundred and fifteenth and two hundred and twenty-second chapters of the Revised Statutes, and to report thereon.

Mr. Goodwin, by leave, laid before the House the annual report of the directors of the Eastern railroad corporation.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Demeritt submitted the following resolution:

*Resolved*, That the committee on the Judiciary be instructed to report a bill, so to alter and amend the license law as that ardent spirits shall be kept on sale only by apothecaries, to be vended solely as a medicine and for use in the arts.

Mr. Hibbard moved to amend said resolution by striking out the words "be instructed to report," and insert instead thereof the words "be instructed to inquire into the expediency of reporting;"

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution as amended be adopted?

It was decided in the affirmative.

So the resolution as amended was adopted.

Mr. Goodwin gave notice that he will to-morrow ask leave to introduce a bill relating to the government of the State Prison.

Mr. Boardman submitted the following resolution:

*Resolved*, That the Clerk of the House be directed to address communications to the several county treasurers of the State of New Hampshire, requesting them to furnish immediately an account of the expenses of the several counties for the support of county paupers for the five years ending June 1, 1843.

Mr. Clarke of Atkinson moved that the resolution lie upon the table;

And the question being put,

It was decided in the negative.

So the House refused to lay said resolution on the table.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

The following message, from His Excellency the Governor, was received by the Secretary of State, which was read and is as follows:

*"To the Honorable Senate and House of Representatives :*

Under the first resolution adopted by the legislature, June 23, 1842, I was authorized among other things to procure and transmit one copy of all the judicial decisions of the courts of this State to each of the states of Maine, Mississippi and Arkansas, and was empowered to draw my warrant on the treasurer to pay for the same. Under the second resolution adopted at the same time the secretary of this State was required to procure and transmit to the several states and territories one copy each, as they may hereafter be reported and published, of the printed judicial decisions of the courts of this State. No provision was made to meet the charge of executing this resolution.

In consequence of the passage of these resolutions, the Secretary of State has addressed a letter to the Executive department of each state and territory of the United States, for the purpose of ascertaining whether any, and if any, what number of the volumes of the reports of our judicial decisions had been received by them respectively. Answers have been received at this department from the secretary of state of the United States and from the states of Maine, Connecticut, Vermont, New York, Delaware, Maryland, North Carolina, Alabama, Arkansas, Mississippi, Illinois, Indiana and Missouri. From these returns it appears that the states of Illinois, North Carolina, Arkansas and Delaware have not received any of our judicial reports. The communication of the secretary of state of Delaware gives information that if there be not a full set of Harrington's (Delaware) Reports in the state library of New Hampshire, he will cause one to be forwarded as soon as the fact can be ascertained. The state of Alabama has been furnished only with the 1st and 5th volumes of our reports. The states of Indiana, Vermont and Maryland have each been furnished with 6 vols. from No. 1 to No. 6, inclusive. The state of Connecticut has been furnished with volumes from No. 1 to No. 3, inclusive. The state of Missouri from No. 1 to No. 5 inclusive. The state of New York from No. 1 to No. 8, inclusive. And the library of Congress has been supplied with the 8 vols from No. 1 to No. 8 inclusive. From these facts it has occurred to me that it might be well for the legislature to reconsider the last resolution adopted June 23, 1842, and to provide that authority be given to procure and transmit to each state and territory as many volumes of the

reports of our judicial decisions, so that including what may be on hand, the United States and each state and territory shall be furnished with one entire set of reports as far as the same may have been published. It is a well known fact that the decisions contained in one volume are frequently explained and enforced by the decisions contained in some previous volume, and in order to give to the respective states the opinion of our superior court upon the law as promulgated, it seems to me very necessary that they should be furnished with full sets of our reports. I have felt it my duty to present this subject to your consideration. I hope that it will accord with the judgment of the legislature so to amend the resolution to which I have already referred as to furnish the library of Congress and to each state and territory one copy each of the judicial decisions which have been, as well as those which may hereafter be published.

HENRY HUBBARD.

Council Chamber, June 13, 1843."

On motion of Mr. Hibbard—

*Resolved*, That the message of His Excellency the Governor be referred to a select committee of five.

*Ordered*, That Messrs. Hibbard, Handerson of Keene, Peirce of Dover, Crosby and Smith of Bradford be the committee.

Agreeably to previous notice and by leave, Mr. Emery introduced a bill in amendment of chapter 145 of the Revised Statutes of the State of New Hampshire;

Which was read a first and second time.

On motion of Mr. Emery—

*Ordered*, That it be referred to the committee on Incorporations.

Agreeably to previous notice and by leave, Mr. Clark of Manchester introduced a bill, entitled "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes;"

Was read a first and second time.

On motion of Mr. Clark of Manchester—

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Plumer—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of causing printed copies of the militia laws of this State to be furnished and distributed to military officers, and report by bill or otherwise.

Mr. Prescott gave notice that he will to-morrow ask leave to introduce a bill, entitled "An act in addition to the eighth section

of the ninety-third chapter of the Revised Statutes of the State of New Hampshire."

On motion of Mr. Kingman—

The House adjourned.

### AFTERNOON.

Mr. Sawyer gave notice that he shall to-morrow ask leave to introduce a bill, entitled "An act to incorporate the proprietors of the Great Falls and Conway railroad."

Mr. Parker of Fitzwilliam gave notice that he shall to-morrow ask leave to introduce a bill, in amendment of the thirty-ninth chapter of the Revised Statutes of the State of New Hampshire.

On motion of Mr. Garnsey—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of instructing our Senators and requesting our Representatives in Congress, to use all reasonable efforts to abolish the Military Academy at West Point, and that the money, annually expended by the General Government for the support of said institution, be applied in disciplining the citizen soldiery, and disseminating military knowledge among the people; and report upon the same to this House.

Mr. Peirce of Dover, by leave, laid before the House the annual report of the directors of the Boston and Maine railroad corporation.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Kittredge of Mont Vernon—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of enacting a law, authorizing county treasurers to borrow money for the use of the county by order of the Court of said county, and report by bill or otherwise.

On motion of Mr. Hibbard—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of so amending chapter 172 of the Revised Statutes of the State of New Hampshire, that the Circuit Judges shall have the same powers at the trial of all criminal cases, the punishment of which is or may be death, that the Judges of the Superior Court now have.

On motion of Mr. Preston—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the law relative to the building and repairing of school houses as to make it the duty of the selectmen of towns to take a new invoice of the polls and ratable estate in any school district at the time any money may be voted for such purpose; also to inquire whether any amendment is necessary in the law relating to the collection of taxes assessed upon non-residents in such cases.

On motion of Mr. Crosby—

*Resolved*, That the use of the Representatives' Hall be granted to the New Hampshire Historical Society to-morrow evening, for the delivery of the annual address by the Rev. Mr. Burroughs of Portsmouth.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows:

“Council Chamber, June 13, 1843.

*To the Hon. Senate and House of Representatives:*

I herewith transmit to the Legislature the reports of the Bank Commissioners, showing the condition of the several Banks in this State at the time of their last examination.

HENRY HUBBARD.”

On motion of Mr. Clark of Manchester—

*Ordered*, That the message of His Excellency the Governor with the accompanying reports be referred to the committee on Banks.

Mr. Noble submitted the following resolution:

*Resolved*, That the committee on the Judiciary be instructed to report a bill in amendment of chapter 214 of the Revised Statutes, providing for the abolition of punishment by death for any crime committed in this State.

Mr. Clark of Manchester moved to amend said resolution, by striking out the words “be instructed to report” and inserting instead thereof the words “be instructed to inquire into the expediency of reporting.”

And the question being put,  
Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution as amended passed.

Mr. Emery gave notice that he shall on Wednesday next ask leave to introduce a bill, entitled, "An act in addition to and in amendment of chapter one hundred and seventy-one, section six of the Revised Statutes of the State of New Hampshire."

Mr. Sturtevant, from the joint select committee appointed to procure three hundred printed copies of the rules of the House, the joint rules of the two Houses, the Constitution of the United States, the Constitution of the State of New Hampshire, the names of the several members of the Legislature and its officers, together with a list of the standing committees in each of its branches, by leave, reported that they had attended to the duty assigned them and that said rules will be ready for distribution to-morrow afternoon at three o'clock.

Mr. Patten, by leave, laid before the House the report of the directors of the Granite Bridge.

On motion of Mr. Patten—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Barber—

The House adjourned.

## WEDNESDAY, JUNE 14, 1843.

Mr. Veazey presented the petition of John Thing;

Mr. Badger presented the petition of Horatio Gates Tucker;

Mr. Jewell presented the petition of Lydia Jewell;

Mr. Whitney presented the petition of Joseph Wallis;

Mr. Barker presented the petition of Ralph Smith, 2d;

All praying for the alteration of their respective names.

*Ordered*, That said petitions be referred to the committee on the Alteration of Names.

Mr. Noble presented the petition of J. S. Coleman and 70 others, inhabitants of the town of Somersworth;

Mr. Daniell presented the petition of Elijah Shaw and others;

Mr. Cook presented the petition of Amasa Copp and others;

All praying for an amendment of chapter 117, section 8 of the Revised Statutes of the State of New Hampshire, relating to Licenses;

Mr. Howe of Rindge presented the petition of Jeremiah Norcross and others, praying for the passage of a law, exempting to a certain amount the property of females from taxation;

Mr. Curtice presented the petition of Ichabod S. Johnson and 82 others, citizens of the town of Danbury, praying for the passage of a law for the relief of indigent insane persons;

*Ordered*, That said petitions be referred to the committee on the Judiciary.

Mr. Stewart presented the petition of Albert Riddle and others, praying for an alteration of the laws relating to the appointment of officers in the militia.

*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Meserve of Jefferson presented the account of John W. Lovejoy.

*Ordered*, That it be referred to the committee on Claims.

Mr. Conner presented the petition of James M. Lovering and others, praying for the re-enactment of the law, passed June 12, 1818, for the preservation of alewives in Exeter river.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Mr. Crosby presented the petition of Joseph M. Givin and Lucinda C. Givin, praying for a grant of a piece of land formerly the site of a gun house in the town of Hanover.

*Ordered*, That it be referred to the committee on Public Lands.

Mr. Smart presented the petition of Isaac Twombly, praying that a part of his farm be severed from the town of Somersworth and annexed to the town of Rochester.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Willey, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Benjamin F. Phelps and others, praying for a new piece of ordnance for the Artillery company in the 28th regiment of N. H. militia, be referred to the committee on Military Affairs.

Mr. Bowles from the same committee, made a report,

Whereupon—

*Resolved*, That the petition of Zebulon J. Wiggin and others, praying for the passage of a law, to prevent the destruction of alewives and other fish in Piscataqua river and its branches, be referred to the committee on the Judiciary.

Mr. Leavitt, from the same committee, made a report,  
Whereupon—

*Resolved*, That the memorial of the proprietors of the land called King Phillip's Grant, praying for compensation for the improvements made by them upon said territory, or that the State cede to them said territory, be referred to the committee on Public Lands.

Mr. Dana, from the same committee, made a report,  
Whereupon—

*Resolved*, That the petition of Stephen and J. Collins and others, praying that a tract of land be severed from the town of Newbury and annexed to the town of Goshen, be referred to the committee on Towns and Parishes.

Mr. Follansbee of Peterborough, from the same committee, made a report,

Whereupon—

*Resolved*, That the petition of Lowell Eastman and others, praying that a tract of land be severed from the town of Deerfield and annexed to the town of Epsom, the petition of Isaac Whittier and others, remonstrating against the granting of the prayer of said petition of Lowell Eastman and others, the bill entitled "An act in amendment of an act to constitute the town of Nashville," and the bill entitled "An act to unite the towns of Nashville and Nashua," be referred to the committee on Towns and Parishes.

Mr. Follansbee of Peterborough, from the same committee, made a further report,

Whereupon—

*Resolved*, That the address to remove John T. Burnham from the office of Justice of the Peace, be referred to the committee on the Judiciary.

Mr. Follansbee of Peterborough, from the same committee, made a further report,

Whereupon—

*Resolved*, That the petition of Levi Wilson and others, praying that a tract of land be severed from the town of Orange and annexed to the town of Canaan, the petition of James Page and others, praying that a tract of land be severed from the town of Albany and annexed to the town of Tamworth, the petition of Simeon Brown and others, praying that his farm be severed from the town of Andover and annexed to the town of Franklin, the petition of Isaac Twombly, praying that his farm may be severed from the town of Somersworth and annexed to the town of Rochester, the petition of Isaac C. Flanders and others for the erec-

tion of a new county to be composed of parts of Hillsborough, Rockingham and Merrimack counties, be referred to the committee on Towns and Parishes.

Mr. Follansbee of Peterborough, from the same committee, made a farther report,

Whereupon—

*Resolved*, That the petition of Henry S. Perrin and others, praying for the passage of an act to encourage the growth and manufacture of silk, be referred to the committee on Agriculture and Manufactures.

Mr. Smith of Mason, from the same committee, made a report, Whereupon—

*Resolved*, That the petition of John Greenfield and others, praying for the grant of a charter for a railroad from Great Falls to Rochester, and the petition of Samuel Quarles and others, for the grant of a charter for a railroad from Rochester to Conway, be referred to the committee on Roads, Bridges and Canals.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of inhabitants of the town of Carroll and the districts called Nash & Sawyer's Location; Crawford's Grant, and Hart's Location, praying for the passage of a law designating a central place for holding elections in said district, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be referred to a select committee consisting of the delegation from the county of Coos.

Mr. Hibbard, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending chapter 172 of the Revised Statutes of the State of New Hampshire, so as to confer upon the circuit Judges the same powers that the Judges of the Superior court now have at the trial of criminal cases, the punishment of which is or may be death, reported a bill entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Handerson of Keene, from the committee on the Judiciary, to whom was referred the petition of Nathaniel Moore, praying for the passage of a law to secure his right to a ferry across the Merrimack river, or compensation for damages thereto, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Clark of Manchester, from the committee on the Judiciary, to whom was referred the bill entitled "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes," reported said bill without amendment.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that said bill be read a third time at the present time.

Said bill was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Barker, from the committee on Military Affairs, to whom was referred the petition of the field officers of the 22d regiment of N. H. militia, and others, praying for the passage of an act incorporating the Temple light infantry company, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of sundry inhabitants of the town of Lempster, praying for the passage of a law incorporating the rifle company attached to the 28th regiment of N. H. militia, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Hibbard, from the select committee, to whom was referred the message of His Excellency the Governor, relating to the procuring and transmitting to the government of the United States and to the several States and Territories of the United States, copies of the Judicial Reports of this State, reported a resolution, authorizing and directing the interchange of the Judicial Reports of this State with the government of the United States and the several States and Territories of the Union, not already fully supplied, and making an appropriation therefor,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

The following message from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

Council Chamber, June 14, 1843.

*"To the Hon. Senate and House of Representatives :*

On the 28th of March, 1840, a suit was commenced against Gordon Burley, on a claim in favor of the State against him, growing out of his contract for the employment and service of the convicts in the State Prison. This action has been submitted to an auditor, but the nature and extent of the claims brought into controversy seem to render it necessary that the matter should be finally tried and determined by a board of arbitrators in preference to a trial by jury. Desirous of bringing this action to a close, I have had a conference with Mr. Burley, and he assents that arbitrators may be selected to adjust the matters in dispute. I have also had conversation with one of the attorneys employed by the State, and he not only assents, but recommends that such an arrangement be made. I would, therefore, suggest to the Legislature the propriety of passing a resolution, giving authority to some person to conclude such an agreement with Mr. Burley, as will lead to a speedy adjustment of the claims in controversy between him and the State. I feel authorized in saying that the bondsmen of Mr. Burley have signified their assent to such an arrangement, and will not hesitate to abide by the award of the arbitrators in the case. The subjoined statement has been furnished me by the attorney of the State.

HENRY HUBBARD.

March 28, 1840. Suit vs. Gordon Burley commenced; auditor reported Sept. T. 1841, but the auditors having allowed Burley in offset \$109 75 which had been paid by the State in another acc., motion was made for leave to file an additional specification and the action was continued till March T. 1842. Since then Burley has been into and gone through bankruptcy. July 7, 1841, suit was commenced vs. Burley, Upham and H. Burley on bond. On this, defendants were defaulted Sept. T. 1842, I think, but made a motion to be heard in chancery on the merits as to the amount actually due. This hearing has never been had."

On motion of Mr. Peirce of Dover—

*Ordered,* That the message of His Excellency the Governor be referred to the committee on the State Prison.

Agreeably to previous notice and, by leave, Mr. Liscomb introduced a bill entitled "An act to incorporate the Northern railroad company;"

Which was read a first time.

Mr. Liscomb moved that the rules of the House be so far sus-

pended that the bill be read a second time at the present time and referred to the committee on Incorporations.

Mr. Hibbard moved to amend the motion, by striking out the word "incorporations," and inserting instead thereof the words "roads, bridges and canals."

And the question being put,

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the rules of the House be so far suspended that the bill be read a second time at the present time and thus referred?

It was decided in the affirmative.

Said bill was then read a second time and referred to the committee on Roads, Bridges and Canals.

Mr. Clark of Manchester gave notice that he shall to-morrow ask leave to introduce a bill relating to banks and banking.

On motion of Mr. Meloon—

*Resolved*, That the House are now ready to meet the Senate in Convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

Mr. Peirce of Dover, by leave, laid before the House the second annual report of the directors of the Concord railroad corporation.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

## IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the constitution—

On motion of Mr. Smith of the Senate—

The Convention proceeded by ballot to the choice of Secretary of State.

On the first balloting the chairman of the convention announced the state of the vote as follows:

|                            |     |
|----------------------------|-----|
| Whole number of votes cast | 229 |
| Necessary to a choice      | 115 |
| Andrew Pierce has          | 1   |
| Woodbridge Odlin has       | 1   |
| George Ela has             | 1   |

|   |      |
|---|------|
| Isaac Hill has  | 1    |
| Ira A. Eastman has  | 2    |
| John L. Hadley has  | 2    |
| John Towne has  | 7    |
| Josiah Stevens, Jr., has                                  | 14   |
| Isaac Sturtevant has                                      | 67   |
| Thomas P. Treadwell has                                   | 133; |
| And Thomas P. Treadwell was accordingly declared elected. |      |
| On motion of Mr. Pease of the Senate—                     |      |

The convention proceeded by ballot to the choice of State Treasurer.

On the first balloting the chairman of the convention announced the state of the vote as follows :

|                            |      |
|----------------------------|------|
| Whole number of votes cast | 235  |
| Necessary to a choice      | 118  |
| Zenas Clement has          | 1    |
| Simon P. Colby has         | 1    |
| Isaac Spalding has         | 1    |
| Thomas P. Treadwell has    | 1    |
| Elijah Carrier has         | 1    |
| John Towne has             | 2    |
| Sampson B. Lord has        | 2    |
| Samuel G. Berry has        | 7    |
| Robert Kimball has         | 60   |
| Bartholomew Smith has      | 15   |
| John Atwood has            | 144; |

And John Atwood was accordingly declared elected.

On motion of Mr. Hale of the Senate—

The convention proceeded to the choice of Commissary General.

On the first balloting the chairman of the convention announced the state of the vote as follows :

|                            |      |
|----------------------------|------|
| Whole number of votes cast | 234  |
| Necessary to a choice      | 118  |
| Andrew Pierce has          | 1    |
| Carroll & Baker has        | 1    |
| John Rymes has             | 2    |
| William Rymes has          | 90   |
| Sampson B. Lord has        | 140; |

And Sampson B. Lord was accordingly declared elected.

On motion of Mr. Peirce of Dover—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Parker of Fitzwilliam—  
The House adjourned.

AFTERNOON.

Mr. McKean, by leave, laid before the House the eighth annual report of the Nashua and Lowell railroad corporation.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Hibbard, by leave, presented the memorial of John McDaniel, transmitting certain rules and regulations of the Concord railroad corporation.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Atwood of Hillsborough, by leave, presented the petition of Franklin Pierce and others in behalf of the town of Concord, praying for the passage of an act granting to the town of Concord a right to impose tolls upon any bridge or bridges across the Merrimack river in said town, which the town may own.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Agreeably to previous notice and by leave, Mr. Goodwin introduced a bill, entitled "An act relating to the government of the State Prison;"

Which was read a first and second time.

*Ordered*, That it be referred to the committee on the State Prison.

Agreeably to previous notice and by leave, Mr. Prescott introduced a bill, entitled "An act in addition to the eighth section of the ninety-third chapter of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Agreeably to previous notice and by leave, Mr. Sawyer intro-

duced a bill, entitled "An act to incorporate the proprietors of the Great Falls and Conway railroad;"

Which was read a first and second time.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

The following message from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:

*"To the Hon. Senate and House of Representatives:*

I herewith communicate certain resolutions adopted by the Legislature of Massachusetts, concerning an amendment to the Constitution of the United States.

HENRY HUBBARD.

Council Chamber, June 14, 1843."

On motion of Mr. Ayer—

*Ordered*, That the message of His Excellency the Governor with the accompanying documents be referred to the committee on the Judiciary.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows:

*"To the Hon. Senate and House of Representatives:*

I herewith communicate certain resolutions adopted by the Legislature of the States of Maine, relating to the imprisonment of citizens of our State in other States.

HENRY HUBBARD.

Council Chamber, June 14, 1843."

On motion of Mr. Howe of Henniker—

*Ordered*, That the message of His Excellency the Governor, with the accompanying document, be referred to the committee on the Judiciary.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows:

*"To the Hon. Senate and House of Representatives:*

I herewith transmit to the Legislature the report of the Commissioners of the Literary Fund.

HENRY HUBBARD.

Council Chamber, June 14, 1843."

On motion of Mr. Bissell—

*Ordered*, That the message of His Excellency the Governor with the accompanying document be referred to the committee on Education.

On motion of Mr. Durgin—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections, agreeably to the laws of this State.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the laws of this State,

On motion of Mr. Colby of the Senate—

The Convention proceeded to choose by ballot a State Printer.

On the first balloting the chairman of the Convention announced the state of the vote as follows:

|                             |     |
|-----------------------------|-----|
| Whole number of votes cast, | 203 |
| Necessary to a choice,      | 102 |
| Dudley Leavitt had          | 1   |
| John Caldwell had           | 1   |
| John Prentiss had           | 1   |
| Dudley Palmer had           | 1   |
| William Burr had            | 1   |
| Isaiah Thomas had           | 1   |
| William Rymes had           | 1   |
| Carleton & Hawvey had       | 1   |
| Isaac Hill had              | 1   |
| J. & J. W. Prentiss had     | 1   |
| Isaac Sturtevant had        | 2   |
| Isaac Hill & Son had        | 3   |
| Dudley S. Palmer had        | 4   |
| Ela, Blodgett & Osgood had  | 4   |
| Charles W. Brewster had     | 7   |
| George Wadleigh had         | 9   |

|  |      |
|--|------|
| Asa McFarland had                                      | 20   |
| Carroll & Baker had                                    | 144; |
| And Carroll & Baker were accordingly declared elected. |      |
| On motion of Mr. Hoskins of the Senate—                |      |
| The Convention rose and the Senate withdrew.           |      |

### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Downing—

*Resolved*, That a committee be appointed on the part of the House, with such as the Hon. Senate may join, to wait on the Secretary of State, State Treasurer, Commissary General and State Printers, elect, and inform them of their election to their respective offices, and if they accept, to receive of them the bonds required by law, and lay the same before the Convention.

*Ordered*, That Messrs. Downing, Barker and Wood be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Mallard, by leave, presented the petition of Jeremiah H. Wilkins in behalf of the Winnipissitogee Bank; praying that their capital stock may be reduced to sixty-thousand dollars.

*Ordered*, That it be referred to the committee on Banks.

Mr. Brewster submitted the following resolution:

*Resolved*, That the committee on the Judiciary be instructed to report a bill, revising chapter 146 of the Revised Statutes; so that instead of unlimited liability each stockholder in any incorporated company, having for its object a dividend of profits, be held personally liable for any debts of such company to the amount of his share in the capital stock of such company, and the full amount of dividends which may have been paid on such share for six years preceding the time when the regular operations of such company may have been suspended by termination of charter or failure to meet legal demands.

Mr. Parker of Fitzwilliam moved that the resolution lie upon the table and be made the special order of the day for Tuesday next at three o'clock in the afternoon.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are Messrs.—

|                        |                          |
|------------------------|--------------------------|
| Veazey                 | Fisk                     |
| Underhill              | Hanson                   |
| Brown of Chester       | Blaisdell                |
| Taylor of Derry        | Beede                    |
| Odlin                  | Cook                     |
| Conner                 | Sawyer                   |
| Brackett               | Chandler                 |
| Shannon                | Pearson                  |
| Towle of Hampton       | Morgan of Bow            |
| Thayer                 | Taylor of Canterbury     |
| Hoit of Newington      | Seavey of Chichester     |
| Towle of New Market    | Griffin                  |
| Badger                 | Daniell                  |
| Cleaves                | Batchelder of Loudon     |
| Goodwin                | Knowlton of Pittsfield   |
| Knowlton of Portsmouth | Stewart                  |
| Brewster               | Patten                   |
| Emery                  | Whittemore of Bennington |
| Wiggin                 | Atwood of Francestown    |
| Goss                   | Chase                    |
| Dinsmoor of Windham    | Clark of Manchester      |
| McDaniell              | Morrill                  |
| Boody                  | Bunton                   |
| Peirce of Dover        | Putnam                   |
| Jenness of Dover       | Baldwin                  |
| Clark of Dover         | Boardman                 |
| Varney                 | Preston                  |
| Mathes                 | Smith of Temple          |
| Plumer                 | Hamilton                 |
| Rollins                | Marshall                 |
| Noble                  | Parker of Fitzwilliam    |
| Young                  | Todd                     |
| Leighton               | Felt                     |
| Sleeper of Alton       | Sturtevant               |
| Roberts                | Handerson of Keene       |
| French of Gilmanton    | Cummings                 |
| Ladd                   | White                    |
| Wight                  | Howe of Rindge           |
| Mallard                | Phillips                 |
| Sleeper of Gilford     | Wilson of Sullivan       |
| Tilton of Meredith     | Crehore                  |

|                        |                     |
|------------------------|---------------------|
| Bellows                | Bartlett            |
| Hosmer                 | Dearborn            |
| Tudor                  | Cox                 |
| Kingman                | Liscomb             |
| Pierce of Winchester   | Kimball             |
| Challis                | Peabody             |
| Freeman                | Kilburn             |
| Graham                 | Skinner             |
| Handerson of Claremont | Bissell             |
| Wood                   | Jenness of Piermont |
| Garfield               |                     |

Those who voted in the negative are Messrs.—

|                          |                         |
|--------------------------|-------------------------|
| Clarke of Atkinson       | Lord                    |
| Smith of Candia          | Drake of Moultonborough |
| Bradley                  | Thurston                |
| Prescott                 | Smith of Ossipee        |
| Meloon                   | Quimby                  |
| Dinsmore of Derry        | Haley                   |
| French of East Kingston  | Whitton                 |
| Batchelder of Epping     | Avery                   |
| Nesmith                  | Rowell                  |
| Oliver                   | Sceva of Andover        |
| Leavitt                  | Smith of Bradford       |
| Butler                   | Hoyt of Dunbarton       |
| Gilman                   | Howe of Henniker        |
| Eaton                    | Perley                  |
| Jewell                   | Clark of Northfield     |
| Foss                     | Gookin                  |
| Willey                   | Page of Sutton          |
| Demerit                  | Robertson               |
| Wilson of Lee            | Thompson                |
| Meserve of Madbury       | Currier                 |
| Stevens                  | Fletcher                |
| Downing                  | Shattuck                |
| Smart                    | Wilkins                 |
| Walker of Barnstead      | Poor of Goffstown       |
| George                   | Richards                |
| Perkins of Centre Harbor | Peavey                  |
| Brown of Sandbornton     | Ware                    |
| Parrish                  | Atwood of Hillsborough  |
| Cate                     | Flint                   |
| Drake of Effingham       | Merrill                 |

|                            |                       |
|----------------------------|-----------------------|
| Hadley                     | Crawford              |
| Manning                    | Hibbard               |
| Smith of Mason             | Whitcher              |
| Walker of Merrimack        | Bean                  |
| Kittredge                  | Sargent               |
| McKean                     | Arven                 |
| Dodge of New Boston        | Curtice               |
| Atwood of Pelham           | Cheever               |
| Follansbee of Peterborough | Burnham               |
| Robbe                      | Garnsey               |
| Nay                        | Follansbee of Grafton |
| Colby                      | Holden                |
| Paige of Weare             | Eastman of Haverhill  |
| Barrett                    | Hammond               |
| Chapman                    | Forbes                |
| Glover                     | Poor of Landaff       |
| Webster                    | Bowles                |
| Giffin                     | Clough of Orange      |
| Fisher                     | Fifield               |
| Taylor of Stoddard         | Whitney               |
| Barber                     | Durgin                |
| Parker of Swarizey         | Clough of Warren      |
| Barker                     | Dana                  |
| Woodbury                   | Buzzell               |
| Barton                     | Stokes                |
| Gunnison                   | Morse                 |
| Smith of Grantham          | Lawrence              |
| Beckwith                   | Drown                 |
| Little                     | Bishop                |
| Metcalf                    | Ballou                |
| Morgan of Plainfield       | Eastman of Jackson    |
| Whittemore of Springfield  | Meserve of Jefferson  |
| Huntoon                    | Perkins of Pittsburgh |
| Laws                       | Martin                |
| Knowlton of Wendell        | Ross                  |

Ayes 103, noes 131.

So the negative of the question prevailed,

And the House refused to lay said resolution on the table and make it the special order of the day for Tuesday next at three o'clock in the afternoon.

Mr. Goddwin moved that the House adjourn.

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

The question recurring upon the passage of the resolution introduced by Mr. Brewster,

On motion of Mr. Barker—

*Resolved*, That the further consideration of the resolution be indefinitely postponed.

On motion of Mr. Wilson—

The House adjourned.

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THURSDAY, JUNE 15, 1843.

Mr. Whiteher presented the account of Benjamin Stephenson.

*Ordered*, That it be referred to the committee on Military Accounts.

Mr. Sawyer presented the petition of Warren Nutter and 102 others, praying for the incorporation of a new town, to be composed of parts of the town of Wakefield, Ossipee and Effingham.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Thompson presented the petition of Abram Brown and 16 others, praying for the removal of Hon. Horace Chase, Judge of Probate for the county of Merrimack.

On motion of Mr. Smith of Bradford—

*Ordered*, That it be referred to a select committee consisting of the delegation from the county of Merrimack.

Mr. Nudd presented the petition of officers and soldiers of the Artillery company in the third regiment of N. H. militia, praying for the grant of a piece of ordnance;

Also the petition of officers and soldiers of said company, praying for an additional officer;

Mr. Knowlton of Pittsfield, presented the petition of field officers of the 18th regiment of N. H. militia, praying for the removal of an officer;

Mr. Hibbard presented the petition of Greenleaf P. Warner and others, praying for the removal of an officer.

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Peirce of Dover presented the petition of Benning M. Bean and others, praying for an amendment of chapter 117, Section 8 of the Revised Statutes of the State of New Hampshire, relating to licenses;

Mr. Colby presented the petition of Amos Chase and others, praying for the same object;

Mr. Peirce of Dover presented the petition of James Boyce and others, inhabitants of the town of Richmond, praying for the adoption of certain resolutions for the protection and safety of all who may seek protection within the limits of the State of New Hampshire.

*Ordered*, That said petitions be referred to the committee on the Judiciary.

Mr. Smith of Bradford, from the committee on the Judiciary, to whom was referred the petition of Zebulon J. Wiggin, praying for the passage of a law to prevent the destruction of Alewives and other fish in Piscataqua river and its branches, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the petition of Joshua Davis, praying for redress from a vexatious suit, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred the petition of John Fuller and others, citizens of the town of Bridgewater, and Robert Mitchell and others, citizens of the town of Plymouth, praying for the erection of a new school district, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Follansbee of Peterborough, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of the field officers of the 21st regiment of N. H. militia, praying for the grant of a piece of ordnance to the Boscawen Artillery company, made a report,

Whereupon—

*Resolved*, That said petition be referred to the committee on Military Affairs.

Mr. Follansbee of Peterborough, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That the petition of John Ramsey and others, the petition of George Barrett and 119 others, the petition of Ephraim Hackett and 90 others, the petition of Timothy Danforth and others, the petition of Israel Fuller and others, the petition of J. C. Patterson and others, the petition of Levi Wilkins and others, and the petition of Josiah Russell, jr. and others, praying for the grant of a charter for a Railroad from Nashua or Merrimack to East Wilton, be referred to the committee on Roads, Bridges and Canals.

Mr. Dana, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of John S. Cilley and others, and the petition of Joshua S. Mathes and others, praying for the division of the town of Columbia, and the petition of A. Boynton and others remonstrating against the granting the prayer of said petitions, be referred to the committee on Towns and Parishes.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the fourth annual report of the directors of the Boston and Maine railroad, made a report,

Whereupon—

*Resolved*, That the report of the directors of said Boston and Maine railroad is full and satisfactory, and that said report be filed in the office of the Secretary of State.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the fifth annual report of the directors of the Eastern railroad in New Hampshire, made a report,

Whereupon—

*Resolved*, That the report of the directors of said Eastern railroad is full and is satisfactory, and that the report be filed in the office of the Secretary of State.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the report of the directors of the Granite Bridge, reported the following resolution:

*Resolved*, That the report of the directors of the Granite Bridge is not satisfactory, as it has not given to the Legislature the amount of the capital stock of said corporation, the number of shares, nor does it distinctly appear what amount has been paid out for dividends.

On motion of Mr. Peirce of Dover—

*Ordered*, That that said resolution and report lie on the table.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the petitions of Stephen Collins and others,

praying that a tract of land may be severed from the town of Newbury and annexed to the town of Goshen, and the petition of the selectmen and sundry inhabitants of the town of Newbury, remonstrating against granting the prayer of said petition, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Burnham, from the committee on Military Accounts, to whom was referred the account of William Rymes, reported a resolution in favor of William Rymes,

Which was read a first and second time.

On motion of Mr. Burnham—

*Resolved*, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

Said resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Atwood of Pelham, from the committee on Military Affairs, to whom was referred the resolution, instructing them to inquire into the expediency of causing printed copies of the militia law of this State to be furnished to military officers, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of the Dover Artillery company, praying for an appropriation in payment of a balance of expenses incurred in building a gun house, reported the following resolution:

*Resolved*, That the petitioners have leave to withdraw their petition.

On motion of Mr. Peirce of Dover—

*Ordered*, That said resolution lie upon the table.

Agreeably to previous notice and by leave, Mr. Emery introduced a bill, entitled "An act in relation to the Superior Court of Judicature, and in addition to section six of chapter one hundred and seventy-one of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Agreeably to previous notice and by leave, Mr. Parker of Fitzwilliam introduced a bill entitled "An act in amendment of the thirty-ninth chapter of the Revised Statutes,"

Which was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Garnsey—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of reporting a bill, making an appropriation for the safe keeping of State arms distributed among the militia companies of this State.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a joint select committee to wait on the Secretary of State, State Treasurer, Commissary General and State Printers, elect, and inform them of their election, and if they accept said offices to receive of them the bonds required by law and lay the same before the Convention, and have on their part joined Mr. Carpenter.”

Mr. Thayer gave notice that he shall to-morrow ask leave to introduce a bill for the more equal assessment of taxes.

On motion of Mr. McKean—

*Resolved*, That the committee on the State Prison be directed to inquire into the management of the State Prison and the treatment of prisoners therein, and if expedient, to report thereon.

Mr. Skinner gave notice that he will to-morrow ask leave to introduce a bill, to amend section 5, chapter 100 of the Revised Statutes, relative to inspection of mess beef.

On motion of Mr. Preston—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of so amending the law, relative to unconditional exempts from military duty, as to embrace all persons conscientiously scrupulous of bearing arms upon the same terms as is now required of Quakers and Shakers.

On motion of Mr. Hibbard—

*Resolved*, That a committee be appointed to inquire and report what compensation shall be allowed for labor performed and expenses incurred in the preparation of the Index to the Revised Statutes, and other services under a resolution of the Legislature passed December 23, 1842.

*Ordered*, That Messrs. Handerson of Keene, Hibbard and Fifield be the committee.

The House proceeded to the order of the day upon the bill, entitled “An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire,”

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day to the consideration of the bill, entitled "An act in addition to the eighth section of the ninety-third chapter of the Revised Statutes,"

Which was read a second time.

*Ordered*, That it be referred to the committee on Military Affairs.

The House proceeded in the order of the day to the consideration of the bill, entitled "An act in relation to the Superior Court of Judicature, and in addition to section six of chapter one hundred and seventy-one of the Revised Statutes,"

Which was read a second time

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day to the consideration of the resolution, authorizing and directing the interchange of the N. H. Reports with the government of the United States, and with the several States and Territories of the Union, not already supplied, and making an appropriation therefor;

Which was read a second time.

On motion of Mr. Hibbard—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

Said resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Garnsey gave notice that he will to-morrow ask leave to introduce a bill, entitled "An act to incorporate the trustees of the Freewill Baptist Book Concern."

Agreeably to previous notice and by leave, Mr. Clark of Manchester introduced a bill, entitled "An act to regulate Banks and Banking;"

Which was read a first and second time.

On motion of Mr. Handerson—

*Ordered*, That it be referred to the committee on Banks.

On motion of Mr. Ayer—

The House adjourned.

## AFTERNOON.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of so amending chapter 172 of the Revised Statutes, that it may be in the power of the Court of Common Pleas to transfer for decision to the Superior Court, cases entire or questions arising on the trial of cases in the Court of Common Pleas, as law and justice may in their opinion require.

Mr. Haley, by leave, presented the petition of Thomas Carlisle, praying for a division of the land granted to him into townships.

*Ordered*, That it be referred to the committee on Public Lands.

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the resolution relative to the report of the directors of the Granite Bridge, reported by the committee on Roads, Bridges and Canals.

On motion of Mr. Peirce of Dover—

*Ordered*, That said resolution and report be recommitted to the committee on Roads, Bridges and Canals.

Mr. Manning presented the account of John F. Holt.

*Ordered*, That said account be referred to the committee on Military Accounts.

Mr. Daniell, by leave, presented the petition of George W. Sumner and others, remonstrating against granting the prayer of the petition of sundry inhabitants of the town of Hill praying that the name of said town may be changed to New Chester.

Mr. Noble gave notice that he will on Monday next ask leave to introduce a bill, in amendment of chapter 124 of the Revised Statutes, relating to hawkers and pedlars.

On motion of Mr. Hibbard—

*Resolved*, That the rules of the House be so far suspended that all bills that are in order for a third reading to-morrow in the afternoon be read a third time at the present time.

The House accordingly proceeded to the consideration of the bill entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New-Hampshire,"

Which was read a third time.

*Resolved*, That it pass and its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Ayer—

The House adjourned.

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FRIDAY, JUNE 16, 1843.

[Mr. Clark of Manchester in the Chair.]

Mr. Eastman of Haverhill, presented the petition of Nathaniel Rix, Jr., praying that a part of his farm may be severed from the town of Piermont and annexed to the town of Haverhill.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Glover presented the petition of Jonathan Rawson and 46 others, praying for the passage of an act for the preservation of fish in Warren Pond in the town of Alstead.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Mr. Follansbee of Peterborough, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Amos Perkins and others, inhabitants of the town of Unity, praying for an alteration of the law in relation to the building and repairing of school houses; the petition of Jacob Lighton and others, praying for the union of school district No. 12 in Ossipee, with school district No. 9 in Effingham; the petition of Thomas Y. Wentworth and others, praying for the union of school district No. 11 in Milton, with school district No. 16 in Farmington; the petition of the Hillsborough county common school association, praying for the passage of an act requiring common school returns; the petition of James Ferrin, Jr., of Freedom, praying to be disannexed from school district No. 3 in Freedom, and annexed to school district No. 4 in Eaton; the petition of Smith Sherman and others, praying that a portion of land be severed from the town of Lyman and annexed to the town of Lisbon, for purposes of schooling; the petition of inhabitants of school district No. 7 in Haverhill, and No. 9 in Piermont, praying that a portion of said district in Piermont may be annexed to school district No. 7 in Haverhill, for the purposes of schooling; the petition of Robert Hopkins, praying that his farm be severed from school district No. 3 in Windham, and annexed to school district No. 5 in Derry; and the peti-

tion of Nathaniel Clark and others, remonstrating against granting the prayer of said petition, be referred to the committee on Education.

Mr. Leavitt, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Samuel Bean and others; the petition of John Evans and others; the petition of Ebenezer S. Lawrence and 139 others; the petition of James Simpson and 97 others; the petition of Josiah Evans and 125 others; the petition of George M. Phelps and others; the petition of Stephen Gale and 84 others; the petition of Enoch Merrill and others, all praying for an act of incorporation for a railroad from Concord to Franklin and Meredith, be referred to the committee on Roads, Bridges and Canals.

Mr. Dana, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the bill entitled "An act in favor of the Dover artillery," be referred to the committee on Military Affairs.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred the petition of Salma Hale and others, praying for an alteration of the law relating to common schools, made a report,

Whereupon—

*Resolved*, That is inexpedient to legislate upon the subject.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the petition of George Barrett and 119 others; the petition of John Ramsey and others; the petition of Ephraim Hackett and 90 others; the petition of Timothy Danforth and others; the petition of Josiah Russell, Jr., and others; the petition of Levi Wilkins and others; the petition of J. C. Patterson and others, and the petition of Israel Fuller, Jr., and others; all praying for an act of incorporation of a railroad from Nashua or Merrimack to East Wilton, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the petition of Samuel Quarles and others, for the grant of a charter for a railroad from Rochester to Conway; the petition of John Crocker and others, for the grant of a charter for a railroad from Somersworth to Conway; and the petition of John Greenfield and others, praying for the grant of a charter

for a railroad from Great Falls to Rochester, made a further report,

Whereupon—

*Resolved*, That as the subject matter of the prayer of said petitioners is embraced in the bill before the House, for the incorporation of a railroad from Great Falls to Conway, that the petitioners have leave to withdraw their petitions.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the eighth annual report of the directors of the Nashua and Lowell railroad corporation, made a further report,

Whereupon—

*Resolved*, That said report is full and satisfactory, and that the same be filed in the office of the Secretary of State.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the second annual report of the directors of the Concord railroad corporation, made a further report,

Whereupon—

*Resolved*, That said report is full and satisfactory, and that the same be filed in the office of the Secretary of State.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act to incorporate the proprietors of the Great Falls and Conway Railroad, reported said bill without amendment.

On motion of Mr. Hibbard—

*Ordered*, That said bill lie upon the table.

Mr. Drown, from the committee on Public Lands, to whom was referred the memorial of the proprietors of the land called King Philip's Grant, praying that they may be allowed compensation for the improvements made by them upon said land, or that the State cede to them said territory, made a report,

Whereupon—

*Resolved*, That the memorialist have leave to withdraw his memorial.

Mr. Bissell, from the committee on Towns and Parishes, to whom was referred the petition of James Page and others, praying that a tract of land be severed from the town of Albany and annexed to Tamworth, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Nay, from the committee on Towns and Parishes, to whom was referred the petition of Isaac C. Flanders and others, praying for the erection of a new county, to be composed of parts of

the county of Hillsborough, Rockingham and Merrimack, made a report,

Whereupon—

*Resolved*, That said petition be referred to the delegation from the county of Hillsborough.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the petition of Jonathan Dickerson and others, inhabitants of the town of Hill, praying that the name of said town may be changed to New Chester, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Downing, from the committee on Bills on their Second Reading, to whom was referred the bill entitled "An act to alter one of the times of holding the Court of Probate in the county of Carroll," reported said bill without amendment.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of Benjamin F. Phelps and another, praying for the grant of a piece of ordnance for the Artillery company in the 28th regiment of N. H. militia, reported a bill granting a new piece of brass ordnance to said company;

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Garnsey, from the committee on Military Affairs, to whom was referred the petition of members of the Lafayette Artillery company in the 22nd regiment of N. H. militia, praying for a new piece of ordnance and carriage therefor, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of Ichabod S. Johnson and others, citizens of the town of Danbury, praying for relief for insane persons in certain cases, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Colby, from the committee on Incorporations, to whom was referred to bill, entitled "An act in addition to chapter one hundred and forty-five of the Revised Statutes of New Hampshire," reported said bill without amendment.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

Mr. Clark of Manchester, from the committee on the Judiciary, to whom was referred the resolution directing them to inquire into the expediency of passing a law, authorizing county Treasurers to borrow money for the use of the counties," reported a bill entitled "An act in amendment of the twenty-third chapter of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Smith of Bradford, from the select committee consisting of the delegation from the county of Merrimack, to whom was referred the petition of Chase Fowler and others, the petition of John L. Colby and others, and the petition of Abram Brown and others, all praying for the removal of Hon. Horace Chase from the office of Judge of Probate for the county of Merrimack, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petitions.

Mr. Goodwin, from the joint select committee appointed to audit the account of the State Treasurer, made the following

### REPORT.

The joint committee, appointed to audit the accounts of the Treasurer of the State; ask leave to present the following:

### REPORT :

That they have carefully examined the Treasurer's books, which show a general cash account embracing the following items of credit, viz :

|   |            |
|---|------------|
| 1st, balance of cash in Treasury on settlement of Treasurer's books by committee, June, 1842, | \$5,787 52 |
| Cash borrowed of Mechanicks Bank,   | 25,000 00  |
| Cash borrowed of Abram Bean,  | 600 00     |
| Cash borrowed of Mechanicks Bank,   | 5,000 00   |
| Cash of C. H. Peaslee,  | 72 67      |
| Cash received of J. Elkins and others, principal and Interest,                                | 773 00     |
| Cash borrowed of Merrimack Bank,  | 8,000 00   |
| Cash borrowed of Merrimack Bank,  | 10,000 00  |
| Cash borrowed of William Jones,   | 10,000 00  |

|  |              |
|--|--------------|
| Cash received from Josiah Stevens,             | 75 00        |
| Cash received from taxes payable Dec. 1, 1841, | 653 83       |
| Cash rec'd on State tax payable Dec. 1, 1842,  | 59,475 00    |
|  | <hr/>        |
|  | \$125,437 02 |

Which is accounted for as follows, viz :

|   |            |
|---|------------|
| Sundry orders drawn per Resolves of the Legislature,  | \$1,491 80 |
| Cash paid Treasurer of N. H. Asylum, as per receipts,   | 4,000 00   |
| Cash paid Messrs. Bell and Fox, commissioners on the Revised Statutes,  | 2,000 00   |
| Cash paid Samuel G. Howe for the blind,   | 300 00     |
| Cash paid J. B. Hosman for deaf and dumb,   | 1,300 00   |
| Cash paid Hon. Council to June, 1843,   | 1,177 80   |
| Cash paid travel and attendance of members of the Senate and House of Representatives for the June and November session,  | 43,683 40  |
| Cash paid door keepers, June and Nov. Session,  | 549 25     |
| Cash paid publishers of the laws in newspapers,   | 280 20     |
| Cash paid military appropriations,  | 2,685 82   |
| Cash paid contingent fund expended by His Excellency,   | 375 00     |
| Cash paid Clerks of the Senate and House of Representatives copying Journals,   | 1,024 37   |
| Cash paid Engrossing Clerks,  | 309 00     |
| Cash paid Hon. Joel Parker for N. H. Reports,   | 397 50     |
| Cash paid bounties on wild animals,   | 602 50     |
| Cash paid for Geological Survey,  | 2,877 17   |
| Cash paid State Printers,   | 4,162 98   |
| Cash paid salaries of Governor, Judges of Superior Court, Court of Common Pleas, Judges and Registers of Probate, county Solicitors, Secretary of Treasury, Secretary of State, Treasurer and Warden of State Prison, Sheriffs and Librarian, | 17 535 99  |
| Cash paid Abraham Bean \$600 and interest 7 60,   | 607 60     |
| Cash paid Merrimack Bank 8000, and interest 320,  | 8,320 00   |
| Cash paid Mechanics Bank 10,000, and interest 341 67,   | 10,341 67  |
| Cash paid Mechanics Bank 5,000, and interest 87 50,   | 5,087 50   |

|   |              |
|---|--------------|
| Cash paid Mechanics Bank 10,000, and interest |              |
| 366 67,                                       | 10,366 67    |
| Cash, balance on hand as per Treasurer's book |              |
| made up to June 7th, 1843.                    | 5,960 80     |
|   | <hr/>        |
|   | \$125,437 02 |

Amount brought down in Treasury, 5,960 80

All of which is correctly cast, properly vouched, and respectfully submitted.

JONATHAN MORRILL,  
JOSEPH BARBER,  
ICHABOD GOODWIN,  
SILAS METCALF.

Concord, June 16th, 1843.

On motion—

*Resolved*, That said report be accepted.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate have passed the following resolutions, in which they ask the concurrence of the House of Representatives :

A resolution authorizing and directing the interchange of the Judicial Reports of this State with the government of the United States, and the States and Territories of the Union, not supplied therewith, and making an appropriation therefor.

A report and sundry resolutions in relation to the fine imposed upon Gen. Andrew Jackson by Judge Hall.

The Senate concur with the House in the passage of a resolution in favor of William Rymes.”

The House proceeded to the consideration of the foregoing report and resolutions, relative to the fine imposed upon Gen. Andrew Jackson by Judge Hall, which came down from the Hon. Senate

On the question,

Will the House concur with the Senate in the adoption of said report and resolutions?

It was decided in the affirmative.

So the House concurred with the Senate in the adoption of said report and resolutions.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded to the consideration of the foregoing resolution, relative to the interchange of the Judicial reports of this

State with the government of the United States and the several States and Territories of the Union, which came down from the Hon. Senate.

On motion of Mr. Hibbard—

*Ordered*, That the resolution lie upon the table.

The House proceeded to the order of the day upon the bill entitled "An act in amendment of the twenty-third chapter of the Revised Statutes,"

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill, granting a new piece of ordnance to the artillery company in the 28th regiment of N. H. Militia,

Which was read a second time.

On motion of Mr. Hibbard—

*Ordered*, That it lie upon the table.

Agreeably to previous notice, and by leave, Mr. Skinner introduced a bill entitled "An act in amendment to the one hundredth chapter of the Revised Statutes, relating to the inspection of mess beef,"

Which was read a first and second time.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Agreeably to previous notice, and by leave, Mr. Thayer introduced a bill, entitled "An act for the more equal assessment of taxes,"

Which was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Barber, from the committee on Education, to whom was referred the petition of Thomas Carter and others, legal voters of the towns of Newtown and Kingston, for a union of the fourth school district in Kingston with the adjoining school district in Newtown, by leave, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Agreeably to previous notice and by leave, Mr. Garnsey introduced a bill, entitled "An act to incorporate the Trustees of the Freewill Baptist book concern,

Which was read a first and second time.

*Ordered*, That it be referred to the committee on Incorporations.

On motion of Mr. Arven—

The House resumed the consideration of the message of His Excellency the Governor, transmitting the report of the Warden of the State Prison, with accompanying communications of the Physician and Chaplain of the Prison.

On motion of Mr. Peirce of Dover—

*Ordered*, That the message of His Excellency the Governor with the accompanying report and communications, be referred to the committee on the State Prison.

On motion of Mr. Emery—

*Resolved*, That the committee on the Judiciary be instructed to inquire and report whether the act of the United States, entitled "An act to establish an uniform system of bankruptcy throughout the United States," was constitutional, and whether any discharges granted under the same are valid to discharge debts.

On motion of Mr. Metcalf—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of introducing a bill, the more effectually to protect the poor debtor from extortion from lawyers and sheriffs, by their taking unlawful fees.

On motion of Mr. Jewell—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of exempting from taxation, all property given and held in trust for the purposes of promoting education in schools.

On motion of Mr. Barber—

The House adjourned.

## AFTERNOON.

Mr. Flint, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed a resolution in favor of William Rymes,

Which was signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Atwood of Pelham—

*Resolved*, That the committee on the State Prison be instructed to inquire into the expediency of furnishing mess beef to the inmates of the State Prison.

The following communication was received by the Speaker,

Which was read and is as follows :

Concord, June 16, 1843.

*"Hon. Samuel Swasey, Speaker of the House of Representatives:*

Sir,—I have the honor to inform you that I have been notified by a joint select committee of the Legislature, of my election to the office of Treasurer of the State of New Hampshire, for the ensuing political year, and have signified to the committee my acceptance of the trust; and having forwarded to the board of selectmen of the town of Hillsborough my resignation of the office of Representative, I hereby request to be discharged from the further duties of a seat in this House.

I am, very respectfully,

Your ob't servant,

JOHN ATWOOD."

On motion of Mr. Hibbard—

*Resolved,* That said letter of resignation be accepted, and that the Clerk be directed to make up the pay roll accordingly.

Mr. Howe of Henniker, moved that the House adjourn,

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title: "

"An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes."

Mr. Glover, from the committee on Military Affairs, to whom was referred the petition of the officers of the company of artillery in the 3d regiment of N. H. militia, praying for an additional officer, by leave, reported a bill entitled "An act to provide for the appointment of an additional officer in the company of artillery in the 3d regiment,

Which was read a first time.

*Ordered,* That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Hibbard, by leave, presented the account of Josiah B. Wiggin.

*Ordered,* That it be referred to the committee on Claims.

Mr. Laws submitted the following resolution :

*Resolved*, That when the House adjourn this afternoon, they adjourn to meet again to-morrow morning at 4 o'clock.

And the question being put,

It was decided in the negative.

So the resolution was rejected.

Mr. Emery, by leave, presented the account of Andrew Lowd.

*Ordered*, That it be referred to the committee on Military Affairs.

On motion of Mr. Hibbard—

The House resumed the consideration of the bill granting a piece of ordnance to the artillery company in the 28th regiment of N. H. militia.

On motion of Mr. Hibbard—

*Ordered*, That it be recommitted to the committee on Military Affairs.

On motion of Mr. Bowles—

The House adjourned.

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SATURDAY, JUNE 17, 1843.

Mr. Barber presented the petition of Nathaniel Prime, Jr., praying for the alteration of his name.

*Ordered*, That it be referred to the committee on the Alteration of Names.

Mr. Whitney presented the petition of Joseph Hall and another, praying to be severed from school district No. 3, in Rumney, and annexed to school district No. 2, in said Rumney.

*Ordered*, That it be referred to the committee on Education.

Mr. Hanson presented the petition of Samuel Potter and others, praying that lots of land numbered 128 and 129, in the town of Eaton, be severed from said town of Eaton and annexed to the town of Conway.

*Ordered*, That it be referred to the committee on Towns and Parishes.

On motion of Mr. Burnham—

*Resolved*, That when the House adjourn this forenoon, they adjourn to meet again on Monday next at three o'clock in the afternoon.

On motion—

The House adjourned.

MONDAY, JUNE 19, 1843.

Mr. Huntoon presented the petition of Amos Perkins and others, citizens of the town of Unity, praying for an amendment of the 12th section of chapter 40 of the Revised Statutes, also praying for an amendment of the law relating to widow's dower in certain cases.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Huntoon presented the petition of field officers of the 15th Regiment N. H. Militia, praying for the removal of an officer.

*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Poor, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed the following bill, report and resolutions:

"An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes;"

A report and sundry resolutions relating to the fine imposed upon Gen. Andrew Jackson by Judge Hall;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Smith of Bradford—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of requiring by law, that the selectmen of towns and places in this State, return to the office of the Secretary of State, on or before the first Wednesday of June next, the necessary inventories of their several towns and places, to serve as the basis of a new apportionment of taxation to said towns and places, and to report by bill or otherwise.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows:

*"To the Hon. Senate and House of Representatives:*

I herewith transmit to the Legislature a communication from the board of visitors of the New Hampshire Asylum for the Insane, accompanied by a report from the trustees, and also by a report made to them from the superintendent of the institution.

HENRY HUBBARD.

Council Chamber, June 19, 1843."

On motion of Mr. Crosby—

*Ordered*, That the message of His Excellency the Governor with the accompanying reports be referred to a select committee of five.

*Ordered*, That Messrs. Crosby, Follansbee of Peterborough, Batchelder of Epping, Parker of Fitzwilliam and George be the committee.

Mr. Poor of Landaff presented certain resolutions which were adopted by the town of Landaff at their last annual meeting.

Which were read and are as follows:

Agreeably to notice given by a committee chosen for the purpose, at the last annual town meeting holden at Landaff, March 14, 1843, a large number of the legal voters of said town met March 31st, and, after due organization, unanimously adopted the following preambles and resolutions:

Whereas, the priceless prerogative is secured to the people of this State in their venerated bill of rights, "to assemble in a peaceable manner, consult on the public good, give instructions to their representatives, and request of the legislative body redress of the wrongs and the grievances they suffer," &c., &c. In accordance with this privilege, we assemble to-day, not only for the purpose of speaking in condemnatory terms of certain legislative proceedings and requesting a redress by a timely reformation on the part of that body, but also to express our hearty commendation of some of its doings, which seem to our understandings, self-evidently calculated to tolerate and preserve our liberties and the welfare of the balance of the people of this State. And whereas the genius and spirit of our democratic institutions evidently are, that the people should make all enactments; but it being both expensive and inconvenient for *all* the people to come together to make their laws, they employ representatives to express their will and represent their principles, and the representative is in duty bound to carry out this principle to the letter, as far as made known to them. Therefore

*Resolved*, That the principle of instructing representatives is not only just and proper, but of indispensable importance, in order that the voice of the people may be fully and definitely understood.

*Resolved*, That those who object to the doctrine of instruction from the people, show themselves opposed to the will of the people being made known, and opposed to the spirit of democracy, and in favor of that aristocratic maxim that "the arm of the representative" ought never to be palsied by the will of his constituents.

*Resolved*, That we have not been able to discover any grounds upon which a justifiable opposition can be made against the act of the legislature of this State, passed in June, 1840, and approved by Gov. Page, entitled "An act relating to railroads and other corporations," which act provides that from and after the passage of the same, it shall not be lawful for any corporation to take, use or occupy any land without the consent of the owners thereof.

Whereas, we have good reason to believe, that the strife which agitated the public mind in this State previous to the late election was between stockholders in Banks and other corporations on the one hand, seeking to obtain special legislative privileges, and the people on the other, who ask that the legislature should make just and equal laws and be partial to none. Therefore

*Resolved*, That the provision introduced into the Revised Statutes at the last session of the legislature, imposing upon stockholders of incorporated companies, having for their object a dividend of profits, a personal liability to pay the debts and other liabilities of such company, was both just and expedient, and that it would be just and expedient, in our belief, for the legislature at its next session to extend said provision so as to include the stockholders of all incorporations now existing in this State on all contracts hereafter made or incurred.

*Resolved*, That the rejection of the "land plunder," (proffered us by a federal Congress,) by the late legislature, meets our hearty approval, believing as we do, that it was money unconstitutionally filched from the national treasury and scattered among the people as a precursor of that unrighteous and federal scheme, the assumption of the state debts, and we hereby request of all future legislatures still to persist in rejecting every attempt to bribe the people with their own money.

*Resolved*, That the long established custom of paying members of the legislature their usual "per diem" for attendance during the entire session, while many of them were absent two or three days in each week of the session, is an evil of which we feel the people have a right to complain and call loudly for correction by legislative enactments, and we hereby respectfully request our legislature, at its next session, to provide by law that no member shall receive his "per diem" for any longer time than he was actually in attendance.

*Resolved*, That all legislation, over and above the pressing wants of the people, is detrimental to their interests and should be dispensed with; that the duration of former sessions should not be regarded as a precedent or a sufficient reason why the existing

session should not be abridged, if the *necessary* business can be transacted in a shorter time, and that members should not retard business by making long speeches, but would do well to take the example of the venerated Franklin and Jefferson and speak *seldom* and *short*, and *always* to the purpose.

*Resolved*, That in the recent election in this State, we hail a glorious triumph of democratic principles over the allied forces of federalism, conservatism and *political* abolitionism, urged on by corporation capitalists, bank officers, hungry office seekers, traitors and renegades, and that the Granite State may yet honestly claim to be what she has been, "Democracy's standard bearer."

A. M. POTTLE, Chairman.

S. P. PEAVER, Secretary.

Landaff, March 31, 1843.

The House proceeded to the order of the day upon bills with the following titles, to wit:

"An act in addition to chapter one hundred and forty-five of the Revised Statutes of New Hampshire;"

"An act to alter one of the times of holding the Court of Probate in the county of Carroll;"

"An act in amendment of the twenty-third chapter of the Revised Statutes;"

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The Clerk laid upon the Speaker's table communications, which had been received by him from the Treasurers of the counties of Rockingham and Sullivan, relative to the expense of supporting county paupers for the five years, ending June 1st, 1843, made in accordance with a resolution of the House, passed June 13, 1843.

On motion of Mr. Hibbard—

*Ordered*, That said communications be referred to the delegations from the counties from which said reports were made.

On motion of Mr. Bissell—

The House adjourned.

TUESDAY, JUNE 20, 1843.

Mr. Bachelder of Epping presented the petition of Nathaniel P. Fogg and others, praying for an amendment of chapter 117, section 8 of the Revised Statutes, relating to licenses;

Mr. Thayer presented the petition of E. G. Dalton and others, praying for the same object.

*Ordered,* That said petitions be referred to the committee on the Judiciary.

Mr. Tilton presented the petition of Jeremiah C. Tilton, praying to be severed from the 38th Regiment of N. H. Militia and annexed to the 29th Regiment.

*Ordered,* That it be referred to the committee on Military Affairs.

Mr. Putnam presented the petition of David Secomb and others, praying for an act of incorporation for the pew owners of the first Congregational society in Milford.

*Ordered,* That it be referred to the committee on Incorporations.

Mr. Chandler presented the petition of Charles Gerrish and others, praying to be severed from the 38th Regiment of N. H. Militia and annexed to the 21st Regiment.

*Ordered,* That it be referred to the committee on Military Affairs.

Mr. Parrish presented the petition of legal voters of the town of Chatham, praying for leave to send a Representative to the General Court.

*Ordered,* That it be referred to the committee on Elections.

Mr. George presented the petition of Samuel Robbins, 3d, praying for the alteration of his name.

*Ordered,* That it be referred to the committee on the Alteration of Names.

Mr. Peirce of Dover, presented the petition of Daniel Osborne in behalf of the president, directors and company of the Strafford Bank, praying for the passage of an act authorizing the division of the capital stock of said bank.

*Ordered,* That it be referred to the committee on Banks.

Mr. Prescott presented the petition of Jonathan Steele and others, remonstrating against granting the prayer of the petition of Lowell Eastman and others, praying to be severed from the town of Deerfield and annexed to the town of Epsom.

*Ordered,* That be referred to the committee on Towns and Parishes.

Mr. Brown, from the committee on Education, to whom was

referred the petition of James Ferrin, Jr., praying to be severed from school district No. 3, in the town of Freedom, and annexed to school district No. 4, in the town of Eaton, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to bring in a bill.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred that portion of the message of His Excellency the Governor, that relates to primary schools, reported a bill entitled "An act for the further encouragement of education,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Dana, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the account of Andrew Lowd be referred to the committee on Military Affairs.

Mr. Dana, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That so much of the message of His Excellency the Governor, concerning a letter from Dr. Jackson, relative to the cost of certain plates and maps to accompany the final report of the State Geologist, be referred to the committee on Finance.

Mr. Leavitt, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the bill entitled "An act to incorporate the Piscataquog railroad company," be referred to the committee on Incorporations.

Mr. Leavitt, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That the bill entitled "An act to amend chapter 28 of the Revised Statutes, entitled 'Of the election of electors of President and Vice President,'" be referred to the committee on the Judiciary.

Mr. Leavitt, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That the petition of Henry Tebbetts and others, praying for the grant of a charter for a railroad from Somersworth to Conway, be referred to the committee on Roads, Bridges and Canals.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of the selectmen of the town of Somersworth, praying that the place of holding the courts in Strafford county may be changed from Dover to Somersworth, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be referred to the select committee consisting of the delegation from the county of Strafford.

Mr. Huntoon, from the committee on Banks, to whom was referred the petition of the president and directors of the Concord Bank, praying that the sum of five hundred dollars and interest be refunded to said bank, reported the following resolution :

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Odlin moved to amend said resolution, by striking out all after the word "*Resolved*," and insert the words following, "By the Senate and House of Representatives in General Court convened, That the State treasurer be and hereby is directed to refund to the president, directors and company of the Concord Bank, the sum of five hundred dollars from the literary fund now in the treasury."

And the question being put,

Shall the amendment be adopted?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

|                        |                     |
|------------------------|---------------------|
| Veazey                 | Clark of Dover      |
| Underhill              | Plumer              |
| Brown of Chester       | Noble               |
| Odlin                  | Laighton            |
| Conner                 | Roberts             |
| Towle of Hampton       | George              |
| T'hayer                | French of Gilmanton |
| Towle of New Market    | Mallard             |
| Knowlton of Portsmouth | Sleeper of Gilford  |
| Brewster               | Hanson              |
| Emery                  | Blaisdell           |
| Dinsmoor of Windham    | Beede               |
| McDaniel               | Cooke               |
| Peirce of Dover        | Sawyer              |
| Jenness of Dover       | Chandler            |

|                       |                        |
|-----------------------|------------------------|
| Pearson               | Hosmer                 |
| Ayer                  | Kingman                |
| Batchelder of Loudon  | Pierce of Winchester   |
| Patten                | Challis                |
| Atwood of Francestown | Freeman                |
| Chase                 | Handerson of Claremont |
| Morrill               | Wood                   |
| Buntin                | Bartlett               |
| Preston               | Liscomb                |
| Hamilton              | Kimball                |
| Todd                  | Peabody                |
| Handerson of Keene    | Kilburn                |
| Crehore               | Bissell                |

Those who voted in the negative are, Messrs.

|                         |                          |
|-------------------------|--------------------------|
| Clarke of Atkinson      | Smart                    |
| Smith of Candia         | Young                    |
| Bradley                 | Walker of Barnstead      |
| Prescott                | Perkins of Centre Harbor |
| Meloon                  | Ladd                     |
| Dinsmore of Derry       | Wight                    |
| French of East Kingston | Tilton of Meredith       |
| Batchelder of Epping    | Fisk                     |
| Shannon                 | Tilton of Sandbornton    |
| Nudd                    | Brown of Sandbornton     |
| Nesmith                 | Parrish                  |
| Oliver                  | Cate                     |
| Hoit of Newington       | Drake of Effingham       |
| Leavitt                 | Lord                     |
| Furber                  | Thurston                 |
| Butler                  | Smith of Ossipee         |
| Badger                  | Quimby                   |
| Eaton                   | Haley                    |
| Jewell                  | Whitton                  |
| Foss                    | Avery                    |
| Boody                   | Rowell                   |
| Willey                  | Sceva of Andover         |
| Wilson of Lee           | Morgan of Bow            |
| Meserve of Madbury      | Smith of Bradford        |
| Stevens                 | Taylor of Canterbury     |
| Downing                 | Seavey of Chichester     |

|                            |                           |
|----------------------------|---------------------------|
| Hoyt of Dunbarton          | Cummings                  |
| Griffin                    | Giffin                    |
| Daniell                    | White                     |
| Howe of Henniker           | Fisher                    |
| Peaslee                    | Howe of Rindge            |
| Clark of Northfield        | Phillips                  |
| Page of Sutton             | Taylor of Stoddard        |
| Thompson                   | Wilson of Sullivan        |
| Currier                    | Barber                    |
| Stewart                    | Parker of Swanzey         |
| Fletcher                   | Bellows                   |
| Whittemore of Bennington   | Barker                    |
| Shattuck                   | Barton                    |
| Wilkins                    | Gunnison                  |
| Poor of Goffstown          | Smith of Grantham         |
| Richards                   | Beckwith                  |
| Peavey                     | Little                    |
| Ware                       | Morgan of Plainfield      |
| Flint                      | Whittemore of Springfield |
| Merrill                    | Huntoon                   |
| Hadley                     | Laws                      |
| Manning                    | Knowlton of Wendell       |
| Walker of Merrimack        | Hibbard                   |
| Putnam                     | Whitcher                  |
| Kittredge                  | Bean                      |
| Baldwin                    | Sargeant                  |
| Boardman                   | Arven                     |
| McKean                     | Curtis                    |
| Dodge of New Boston        | Cheever                   |
| Atwood of Pelham           | Garnsey                   |
| Follansbee of Peterborough | Follansbee of Grafton     |
| Robbe                      | Dow                       |
| Nay                        | Crosby                    |
| Smith of Temple            | Eastman of Haverhill      |
| Colby                      | Forbes                    |
| Paige of Weare             | Cox                       |
| Chapman                    | Poor of Landaff           |
| Glover                     | Bowles                    |
| Marshall                   | Clough of Orange          |
| Parker of Fitzwilliam      | Jenness of Piermont       |
| Webster                    | Fifield                   |
| Felt                       | Whitney                   |

Clough of Warren  
 Dana  
 Buzzell  
 Stokes  
 Morse  
 Lawrence  
 Drown  
 Bishop

Ballou  
 Eastman of Jackson  
 Meserve of Jefferson  
 Green  
 Perkins of Pittsburg  
 Martin  
 Ross

On motion of Mr. Goodwin—

*Resolved*, That the rules of the House be so far suspended, that members of the House who were not present at the time the question was put, may have an opportunity of voting at the present time.

The name of Mr. Goodwin being called by the Clerk, he answered the affirmative.

The name of Mr. Durgin being called by the Clerk, he answered in the negative.

Ayes 57, Noes 153.

So the negative of the question prevailed, and the amendment to the resolution proposed by Mr. Odlin, was rejected.

The question recurring upon the adoption of the resolution reported by the committee on Banks ;

And the question being put,

It was decided in the affirmative.

So said resolution was adopted.

Mr. Brewster, from the committee on the State Prison, to whom was referred the message of His Excellency the Governor, respecting the claim of the State against Gordon Burley, made a report,

Whereupon—

*Resolved*, That an agent be appointed by the Governor, with power to refer the suit now pending, to a board of arbitrators for adjustment.

Mr. Bissell, from the select committee appointed to fix upon a day upon which the business of the present session may be brought to a close, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the business of the present session may be brought to a close on Wednesday, the 28th day of June instant.

On the question,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Handerson of Keene submitted the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That all the amendments of the Revised Statutes, hereafter passed at this session, after the several bills have passed a third reading and before they are engrossed, be drafted into one bill, and notes made in the margin, designating the chapter and section to which they apply.

On the question,

Shall said resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate have passed the following resolutions, to wit:

A resolution appointing Jacob C. Carter, Librarian for the ensuing year;

A resolution authorizing the Governor to appoint an agent, with power to refer to arbitrators, the suit of the State against Gordon Burley, in which they ask the concurrence of the House of Representatives.

The Senate concur with the House in the passage of a bill, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of this State."

The Senate concur with the House in the adoption of the resolution, authorizing the interchange of the Judicial Reports of this State with the government of the United States, and the several States and Territories of the Union, not already supplied, and making an appropriation therefor, with an amendment, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing resolution, appointing Jacob C. Carter, Librarian, which came down from the Hon. Senate;

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

The House proceeded to the consideration of the resolution, which came down from the Hon. Senate, authorizing the Governor to appoint an agent with power to refer the suit of the State against Gordon Burley, to arbitrators;

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

The House proceeded to the consideration of the foregoing resolution, authorizing the interchange of the Judicial Reports of this State with the government of the United States and the several States and Territories of the Union, not already supplied, and making an appropriation therefor, with the amendment which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of said amendment?

It was decided in the affirmative.

So the House concurred with the Hon. Senate in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The Clerk laid upon the Speaker's table, communications which had been received by him from the Treasurers of the counties of Cheshire, Strafford and Belknap, relative to the expense of counties for the support of county paupers for the five years, ending June 1st, 1848, made in accordance with a resolution of the House, passed June 13, 1848.

On motion—

*Ordered*, That said communications be referred to the delegations from the counties from which said reports are made.

Agreeably to previous notice and by leave, Mr. Noble introduced a bill, entitled "An act in amendment of chapter 124 of the Revised Statutes;"

Which was read a first time.

Mr. Noble moved that the rules of the House be so far suspended that the bill be read a second time at the present time;

And the question being put,

It was decided in the negative.

So the House refused to suspend the rules.

*Ordered*, That the bill be read a second time to-morrow forenoon at eleven o'clock.

Mr. Dana, by leave, presented the account of I. R. Philbrick.

*Ordered*, That it be referred to the committee on Claims.

Mr. Drown, by leave, presented the petition of Clark J. Haines

and others, inhabitants of the town of Pittsburgh, praying for the grant of a tract of land for certain purposes therein enumerated.

*Ordered*, That it be referred to the committee on Public Lands.

On motion—

The House adjourned.

## AFTERNOON.

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the resolution reported by the committee on Military Affairs, relative to the petition of the Dover Artillery company.

On motion of Mr. Peirce of Dover—

*Ordered*, That said resolution be recommitted to the committee on Military Affairs.

Mr. Preston, from the select committee, consisting of the delegation from the county of Hillsborough, to whom was referred the petition of Isaac C. Flanders and others, praying for the creation of a new county, to be composed of parts of Hillsborough, Rockingham and Merrimack counties, reported the following resolution:

*Resolved*, That the further consideration of said petition be indefinitely postponed.

On motion of Mr. Clark of Manchester—

*Ordered*, That said resolution lie upon the table.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that all bills and resolutions that were in order for a second reading this forenoon at eleven o'clock be read a second time at the present time.

The House proceeded to the order of the day upon the bill, entitled "An act for the further encouragement of education."

On motion of Mr. Peirce of Dover—

*Ordered*, That it be laid upon the table and that the Clerk be directed to procure three hundred printed copies for the use of the House.

The House proceeded in the order of the day to the consideration of the bill, entitled "An act to provide for the appoint-

ment of an additional officer in the company of Artillery in the third Regiment;"

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the resolution, instructing said committee to inquire into the constitutionality of the act of Congress, entitled "An act to establish an uniform system of bankruptcy throughout the United States," and the validity of discharges obtained under said act, by leave, made a report,

Whereupon—

*Resolved*, That it is inexpedient for this body to legislate upon the subject.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the resolution, instructing said committee to inquire into the expediency of amending that part of chapter 172 of the Revised Statutes, relating to transferred cases, by leave, reported a bill, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New-Hampshire,"

Which was read a first and second time.

Mr. Hibbard offered two several amendments to said bill which were severally adopted.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of Moses Walker and others, praying for the removal of certain officers in the 15th regiment; the petition of G. C. Freeman and others, for the removal of an officer in the fifth brigade, and for the removal of officers in the fifteenth regiment; the remonstrance of Reuben Tuce and others, and the remonstrance of Andrew Watkins, Jr. and others, against the removal of an officer in the fifteenth regiment; the remonstrance of officers, soldiers and citizens in the fifteenth regiment, and the remonstrance of J. W. Tappan and others, against the removal of an officer in said fifteenth regiment, by leave, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their several petitions.

Mr. Crosby, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of further legislation for the protection of poor debtors, by leave, reported the following resolution:

*Resolved*, That it is inexpedient to legislate upon the subject.

On motion of Mr. Metcalf—

*Ordered*, That said resolution lie upon the table and be made the special order of the day for three o'clock to-morrow afternoon.

Mr. Parker of Fitzwilliam, by leave, presented the memorial of the committee of the common school convention, praying for the passage of an act relating to school returns.

*Ordered*, That it be referred to the committee on Education.

On motion of Mr. Clarke of Atkinson—

*Resolved*, That the committee on Education be instructed to inquire into the expediency of amending the fourth section of chapter seventy-two of the Revised Statutes, and to report by bill or otherwise.

On motion of Mr. Perkins of Centre Harbor—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of severing the fifth company of the 19th regiment of N. H. militia, from said regiment and annexing the same to the 29th regiment.

On motion of Mr. Barton—

The House adjourned.

### WEDNESDAY, JUNE 21, 1845.

Mr. Whittemore of Bennington, presented the petition of Lucy D. Brooks, praying for the alteration of her name.

*Ordered*, That it be referred to the committee on the Alteration of Names.

Mr. Varney, presented the petition of John Hayes and others, praying for an amendment of chapter 117, section 8, of the Revised Statutes in relation to licences.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Durgin, presented the petition of officers of the 21st regiment of N. H. militia;

Mr. Atwood of Pelham, presented the petition of officers of the 8th regiment of N. H. militia;

Mr. Challis, presented the petition of an officer of the 16th regiment of N. H. militia;

Mr. Noble, presented the petition of officers of the 2nd regiment, of N. H. militia;

All praying for the removal of officers.

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Drown, from the committee on Public Lands, to whom was referred the petition of Joseph M. Givin and Lucinda C. Giv-en, praying for the grant of a piece of land formerly the site of a gun house in the town of Hanover, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Drown, from the committee on Public Lands, to whom was referred the petition of Thomas Carlisle, praying for a division of the land granted him, into townships, made a further report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Gunnison, from the committee on Agriculture and Manufactures, to whom was referred the bill entitled "An act in amendment to the one hundredth chapter of the Revised Statutes, relating to the inspection of mess beef, reported said bill without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three oclock.

Mr. Gunnison, from the committee on Agriculture and Manufactures, to whom was referred the petition of James M. Lovering and others, praying for the passage of a law for the preservation of fish in the Exeter river, made a further report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature, and that the petitioners cause the substance of their petition to be published in the Exeter News Letter, or some other newspaper published in Exeter, at least thirty days prior to the next annual town meeting.

Mr. Gunnison, from the committee on Agriculture and Manufactures, to whom was referred the petition of Jonathan Rawson and 46 others, praying for the passage of an act for the preservation of fish in Warren pond in the town of Alstead, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Huntton, from the committee on Banks, to whom was referred the petition of Jeremiah H. Wilkins in behalf of the Win-

Mississigee bank, praying for the passage of an act allowing said bank to reduce their capital stock, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of Jeremiah Norcross and others, praying for the passage of an act, to exempt the property of females from taxation in certain cases, made a report,

Whereupon—

*Resolved*, That it is inexpedient at this time to legislate upon the subject.

Mr. Clarke of Atkinson, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of passing an act exempting from taxation property held in trust for the purpose of education in schools, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the bill entitled "An act in relation to the Superior Court of Judicature, and in addition to section 6 of chapter 171 of the Revised Statutes," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be postponed to the next session of the Legislature, and that the Clerk be directed to cause said bill to be published in all the newspapers, which are by law authorized to publish the public acts and resolves of this State, three weeks at least prior to the first day of said session.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the petition of Levi Wilson and others, praying that a tract of land may be severed from the town of Orange, and annexed to the town of Canaan, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature, and that said petitioners cause the towns of Orange and Canaan to be notified of the pendency thereof, by causing an attested copy of said petition and this order thereon to be left with one of the selectmen of each of said towns, thirty days at least prior to the first day of the next June session of the Legislature.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the bill entitled "An act in amendment of

chapter 28 of the Revised Statutes," reported said bill without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Smith of Bradford, from the committee on the Judiciary, who were instructed to inquire into the expediency of requiring, by law, the selectmen of the several towns and places in this State to return to the office of the Secretary of State, on or before the first Wednesday of June next, the necessary inventories of their several towns and places to serve as the basis of a new apportionment of the public taxes, reported a bill entitled "An act providing for the return of inventories,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Henderson of Keene, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of so amending the law in relation to the building and repairing of school houses, as to make it the duty of selectmen to take a new invoice of the polls and rateable estates in any school district at the time any money may be voted for such purpose, and also, whether any amendment of the law in relation to the collection of taxes assessed on non-residents in such cases, is necessary, reported a bill entitled "An act in amendment of chapter seventy one of the Revised Statutes,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Whitcher, from the committee on Roads, Bridges and Canals, to whom was referred the petition of Franklin Pierce and others, in behalf of the town of Concord, praying for the passage of an act allowing said town the right to impose tolls upon such bridges across the Merrimack river as said town may own, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act to incorporate the Northern Railroad company," reported said bill with two several amendments.

The question being upon the adoption of the first of said amendments;

On motion of Mr. Peirce of Dover—

**Resolved,** That the farther consideration of the bill and said amendments be postponed and made the order of the day for four o'clock this afternoon.

Mr. Handerson of Keene, from the committee on the Judiciary, to whom was referred the resolution, instructing them to investigate and report what compensation shall be allowed for labor performed and expenses incurred in the preparation of the index of the Revised Statutes, and other services, reported a resolution in favor of Samuel D. Bell and Charles J. Fox,

Which was read a first time.

**Ordered,** That it be read a second time this forenoon at eleven o'clock.

The Clerk laid upon the Speaker's table a communication from the treasurer of the county of Grafton, in relation to the expense of supporting county paupers for the five years, ending June 1st, 1843, made in accordance with a resolution of the legislature, passed June 13, 1843.

On motion of Mr. Hibbard—

**Ordered,** That it be referred to the delegation from the county of Grafton.

On motion of Mr. Sawyer—

The House resumed the consideration of the bill, entitled "An act to incorporate the proprietors of the Great Falls and Conway railroad."

On motion of Mr. Sawyer—

**Resolved,** That the rules of the House be so far suspended that the bill be read a third time at the present time.

Said bill was then read a third time.

**Resolved,** That it pass and that its title be as aforesaid.

**Ordered,** That the Clerk request the concurrence of the Senate therein.

The House proceeded to the order of the day upon a bill with the following title and the following resolutions, to wit:

"An act in amendment of chapter seventy-one of the Revised Statutes;"

A resolution appointing Jacob C. Carter, Librarian for the ensuing political year;

A resolution in favor of Samuel D. Bell and Charles J. Fox;

Which were severally read a second time.

**Ordered,** That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded to the order of the day upon the resolution, authorizing the Governor to appoint an agent, with power to

refer the suit of the State against Gordon Burley to arbitrators, which came down from the Hon. Senate;

Which was read a second time.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

Said resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded in the order of the day upon the bill, entitled "An act in amendment of chapter 124 of the Revised Statutes;"

Which was read a second time.

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill, entitled "An act providing for the return of inventories;"

Which was read a second time.

On motion of Mr. Hibbard—

*Ordered*, That it lie upon the table.

On motion of Mr. Butler—

*Resolved*, That the rules of the House be so suspended as to allow him at this time to introduce a bill.

Mr. Butler accordingly introduced a bill, entitled "An act in amendment of chapter two hundred and twenty-eight of the Revised Statutes of the State of New Hampshire;"

Which was read a first and second time.

On motion of Mr. Smith of Bradford—

*Resolved*, That said bill be referred to a select committee, consisting of one from each county.

Mr. Crosby submitted the following preamble and resolution:

Whereas, the petition of John M. and Lucinda C. Givin, praying for the grant of a piece of land in the town of Hanover, is postponed to the next session of the legislature, therefore

*Resolved*, That the petitioners shall remain in possession of the same until that time, as heretofore.

On the question,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

On motion of Mr. Hibbard—

The House resumed the consideration of the bill, entitled "An act providing for the return of inventories."

Mr. Hibbard proposed three several amendments to said bill,

Which were severally adopted.

Mr. Clarke of Atkinson proposed an amendment to said bill,

But before the question was taken upon the adoption of said amendment,

On motion of Mr. Hibbard—

*Ordered*, That said bill and amendment be recommitted to the committee on the Judiciary.

Mr. Bunton, by leave, presented the report of the directors of the Amoskeag Falls Bridge.

On motion of Mr. Bunton—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Mallard—

*Resolved*, That the rules of the House be so far suspended as to allow him at this time to introduce a bill.

Mr. Mallard accordingly introduced a bill, entitled "An act to prevent small pox by vaccination;"

Which was read a first and second time.

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Chase—

*Resolved*, That the committee on Education be instructed to inquire into the expediency of making further provision by law, for the common school instruction of apprentices and miners under the care of those who may not be legally their masters, guardians or parents.

On motion of Mr. Whittemore of Springfield—

The House adjourned.

#### AFTERNOON.

The House proceeded to the order of the day upon bills with the following titles, to wit:

"An act to provide for the appointment of an additional officer in the company of Artillery in the third Regiment;"

"An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire;"

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Patten gave notice that he shall to-morrow ask leave to introduce a bill, entitled "An act in amendment of an act to incorporate the Granite Bridge."

The Speaker announced the appointment of Messrs. Smith of Bradford, Gilman, Smart, Mallard, Avery, Chapman, Cummings, Garfield, Whitney and Green as the select committee to whom was referred the bill, entitled "An act in amendment of chapter 228 of the Revised Statutes."

The Speaker also announced the appointment of Mr. Fletcher of Antrim as a member of the standing committee on the Judiciary, to supply the vacancy occasioned by the resignation of Mr. Atwood of Hillsborough.

The House proceeded to the special order of the day upon the resolution reported by the Judiciary committee, relative to the protection of poor debtors from extortion by lawyers and sheriffs.

On motion of Mr. Metcalf—

*Ordered*, That said resolution be recommitted to the committee on the Judiciary.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of Benjamin Brown and others, praying for the grant of a new piece of brass ordnance for the Artillery company in the third Regiment of N. H. Militia, by leave, reported a bill, entitled "An act in favor of the Artillery company in the third Regiment, N. H. Militia;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Huntoon, from the committee on Banks, to whom was referred the petition of C. H. Atherton, agent for closing the concerns of the Farmers Bank, praying for the passage of an act authorizing the division of the capital stock of said bank, also, the petition of B. Abbot, President of the Exeter bank, praying for the same object, reported a bill entitled "An act in relation to Banks and Banking;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Flint, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed a resolution authorizing the distribution of the Judicial Reports of this State;

Which was signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Wight—

*Resolved*, That the rules of the House be so far suspended that he be allowed at this time to introduce a bill.

Mr. Wight accordingly introduced a bill entitled "An act districting the State for the election of members of Congress;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Clarke of Atkinson, submitted the following resolution :

*Resolved*, That the committee on the State Prison be instructed to appraise at its cash value the stock, tools, book accounts, notes and all other property of the Prison belonging to the State, and report to this House.

On motion of Mr. Peirce of Dover—

*Ordered*, That said resolution lie on the table.

On motion of Mr. Kimball—

The House proceeded to the special order of the day upon the bill entitled "An act to incorporate the Northern Railroad company."

The question being upon the adoption of the amendments to said bill proposed by the committee on Roads, Bridges and Canals,

On motion of Mr. Emery—

*Ordered*, That said bill and amendments lie upon the table.

On motion of Mr. Hibbard—

The House proceeded to the special order of the day upon the bill entitled "An act to incorporate the Northern Railroad company."

The question being upon the adoption of the amendments to said bill, proposed by the committee on Roads, Bridges and Canals,

The first amendment proposed by the committee was adopted.

The question being upon the adoption of the second of said amendments,

Mr. Peirce of Dover offered an amendment to said amendment.

The amendment proposed by the committee to said bill, was by striking out the fifteenth section thereof, and inserting the following substitute :

"**SEC. 15.** And the said corporation are to take all the privileges and franchises herein granted, subject to the laws in relation to corporations and Railroads, as they now stand in the Revised Statutes of New Hampshire."

Mr. Peirce of Dover, proposed to amend the amendment by adding at the close of said section the words "except so far as the same shall conflict with the provisions of this bill."

On the question,

Shall the amendment to the amendment be adopted?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

|                        |                          |
|------------------------|--------------------------|
| Veazey                 | Beede                    |
| Underhill              | Cooke                    |
| Brown of Chester       | Sawyer                   |
| Taylor of Derry        | Chandler                 |
| Odlin                  | Pearson                  |
| Conner                 | Seavey of Chichester     |
| Brackett               | Daniell                  |
| Towle of Hampton       | Stewart                  |
| T'hayer                | Patten                   |
| Towle of New Market    | Whittemore of Bennington |
| Cleaves                | Atwood of Francestown    |
| Goodwin                | Chase                    |
| Knowlton of Portsmouth | Clark of Manchester      |
| Brewster               | Morrill                  |
| Emery                  | Judkin                   |
| Wiggin                 | Bunton                   |
| McDaniel               | Putnam                   |
| Boody                  | Baldwin                  |
| Peirce of Dover        | Boardman                 |
| Jenness of Dover       | Preston                  |
| Clark of Dover         | Smith of Temple          |
| Varney                 | Barrett                  |
| Plumer                 | Hamilton                 |
| Rollins                | Parker of Fitzwilliam    |
| Laighton               | Todd                     |
| Sleeper of Alton       | Felt                     |
| Roberts                | Sturtevant               |
| French of Gilmanton    | Handerson of Keene       |
| Ladd                   | Cummings                 |
| Mallard                | White                    |
| Sleeper of Gilford     | Howe of Rindge           |
| Fisk                   | Phillips                 |
| Hanson                 | Wilson of Sullivan       |
| Blaisdell              | Crehore                  |

Hosmer  
 Tudor  
 Kingman  
 Pierce of Winchester  
 Challis  
 Freeman  
 Wood  
 Garfield

Bartlett  
 Dearborn  
 Liscomb  
 Kimball  
 Peabody  
 Kilburn  
 Skinner  
 Bissell

Those who voted in the negative are, Messrs.

Clarke of Atkinson  
 Smith of Candia  
 Bradley  
 Prescott  
 Meloon  
 Dinsmore of Derry  
 French of East Kingston  
 Batchelder of Epping  
 Shannon  
 Nudd  
 Nesmith  
 Oliver  
 Leavitt  
 Furber  
 Butler  
 Badger  
 Gilman  
 Goss  
 Eaton  
 Jewell  
 Foss  
 Willey  
 Demeritt  
 Wilson of Lee  
 Meserve of Madbury  
 Stevens  
 Downing  
 Smart  
 Noble  
 Young  
 Perkins of Centre Harbor

Wight  
 Tilton of Meredith  
 Tilton of Sandbornton  
 Brown of Sandbornton  
 Parrish  
 Cate  
 Drake of Effingham  
 Lord  
 Drake of Moultonborough  
 Smith of Ossipee  
 Quimby  
 Haley  
 Whitton  
 Avery  
 Rowell  
 Sceva of Andover  
 Morgan of Bow  
 Smith of Bradford  
 Hoyt of Dunbarton  
 Howe of Henniker  
 Peaslee  
 Clark of Northfield  
 Gookin  
 Page of Sutton  
 Robertson  
 Thompson  
 Currier  
 Fletcher  
 Shattuck  
 Wilkins  
 Poor of Goffstown

|                            |                       |
|----------------------------|-----------------------|
| Richards                   | Hibbard               |
| Peavey                     | Whitcher              |
| Ware                       | Bean                  |
| Flint                      | Sargeant              |
| Merrill                    | Arven                 |
| Hadley                     | Curtis                |
| Manning                    | Cheever               |
| Smith of Mason             | Garnsey               |
| Walker of Merrimack        | Follansbee of Grafton |
| Kittredge                  | Holden                |
| McKean                     | Dow                   |
| Dodge of New Boston        | Crosby                |
| Atwood of Pelham           | Eastman of Haverhill  |
| Follansbee of Peterborough | Hammond               |
| Robbe                      | Forbes                |
| Nay                        | Cox                   |
| Colby                      | Poor of Landaff       |
| Paige of Weare             | Bowles                |
| Chapman                    | Clough of Orange      |
| Webster                    | Jenness of Piermont   |
| Giffin                     | Fifield               |
| Fisher                     | Whitney               |
| Taylor of Stoddard         | Durgin                |
| Barber                     | Clough of Warren      |
| Parker of Swanzey          | Dana                  |
| Barker                     | Buzzell               |
| Woodbury                   | Stokes                |
| Barton                     | Drown                 |
| Gunnison                   | Bishop                |
| Smith of Grantham          | Ballou                |
| Beckwith                   | Eastman of Jackson    |
| Little                     | Meserve of Jefferson  |
| Metcalf                    | Green                 |
| Morgan of Plainfield       | Perkins of Pittsburg  |
| Whittemore of Springfield  | Martin                |
| Huntoon                    | Ross                  |
| Knowlton of Wendell        | Burns                 |
| Crawford                   |                       |

Ayes 84, Noes 136.

So the negative of the question prevailed,  
And the amendment to the amendment was rejected.

Mr. Liscomb moved that the House adjourn,  
And the question being put,  
It was decided in the negative.  
So the House refused to adjourn.

The question recurring upon the adoption of the amendment  
proposed by the committee,  
And the question being put,  
Shall said amendment be adopted?  
It was decided in the affirmative.  
So the amendment was adopted.  
On motion—

. The House adjourned.

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THURSDAY, JUNE 22, 1843.

Mr. Wilson presented the petition of E. F. Stevens, Jr., and  
24 others, citizens of the town of Deerfield, praying for an  
amendment of chapter 117, section 8 of the Revised Statutes, re-  
lating to licences.

*Ordered*, That it be referred to the committee on the Judici-  
ary.

Mr. Drake of Moultonborough, presented the petition of Na-  
thaniel B. Hoit, praying for the removal of an officer.

*Ordered*, That it be referred to the committee on Military Af-  
fairs.

Mr. Poor of Goffstown, presented the petition of Samuel Ro-  
bie and 182 others, praying for the passage of an act, prohibiting  
the Concord railroad corporation from carrying freight.

*Ordered*, That it be referred to the committee on Roads, Bridges  
and Canals.

Mr. Atwood of Pelham, from the committee on Military Af-  
fairs, to whom was referred the petition of the officers of the 21st  
regiment of N. H. militia, praying for the removal of an officer  
in said regiment, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their pe-  
tition.

Mr. Batchelder, from the committee on Military Affairs, to  
whom was referred the petition of field officers of the 15th regi-

ment of N. H. militia, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred the petition of the committee of the common school convention; also the petition of the Hillsborough county common school association, praying for the passage of an act providing for school returns, reported a resolution, requiring the selectmen of towns to make school returns.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Taylor of Stoddard, from the committee on Claims, to whom was referred the account of John W. Lovejoy, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his account.

Mr. Peabody, from the committee on Roads, Bridges and Canals, to whom was recommitted the report of the directors of the granite bridge, made a report,

Whereupon—

*Resolved*, That the supplementary report of the directors of said bridge, is full and satisfactory, and that it be filed in the office of the Secretary of State.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in relation to the election of electors of President and Vice President," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of Amos Perkins and others, citizens of the town of Unity, praying for an amendment of the 12th section of the 40th chapter of the Revised Statutes; also, praying for an amendment of the law relative to the distribution of widow's dower in certain cases, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Clarke of Atkinson, from the committee on the Judiciary, to whom was referred on address for the removal of John S.

Burnham, from the office of Justice of the Peace for the county of Rockingham, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject matter of said address.

Mr. Clark of Manchester, from the committee on the Judiciary, to whom was referred the resolution, directing them to inquire what legislation, if any, is necessary in amendment of the two hundred and fifteenth and two hundred and twenty-second chapters of the Revised Statutes, reported bills with the following titles :

“An act in amendment of the two hundred and fifteenth chapter of the Revised Statutes;”

“An act in amendment of the two hundred and twenty-second chapter of the Revised Statutes;”

Which were read a first time.

*Ordered*, That they be read a second time this forenoon at eleven o'clock.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred “An act to punish cheating by false pretences,” reported said bill with two several amendments, which were severally adopted.

Mr. Peirce of Dover, from said committee, also reported the following resolution :

*Resolved*, That the further consideration of said bill be postponed to the next session of the Legislature, and that the Clerk cause the same to be published in the several newspapers authorized to publish the laws, at least three weeks prior to the next session of the Legislature.

Mr. Smith of Bradford, from the committee on the Judiciary, to whom was recommitted the bill, entitled “An act providing for the return of inventories,” and the amendment proposed thereto, reported said bill in a new draft,

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Butler, from the committee on Elections, made the following

## REPORT :

The standing committee on Elections, to whom were referred the certificates of elections of members returned to serve in this House, having attended to the duty assigned

them, and having examined the aforesaid certificates and all other evidence laid before them, have directed me to report the following resolution:

**J. H. BUTLER**, for the Committee.

*Resolved*, That the following named gentlemen have been legally elected as members of this House, and are entitled to seats therein, to wit:

#### FOR THE COUNTY OF ROCKINGHAM.

|                      |                     |
|----------------------|---------------------|
| Greenleaf Clarke     | Thomas E. Oliver    |
| Benjamin Veasey      | Hanson Hoyt         |
| James Smith          | John M. Towle       |
| Jesse J. Underhill   | John Leavitt        |
| William Brown, Jr.   | David Furbur        |
| Nathaniel Bradley    | James H. Butler     |
| Stephen Prescott     | Stephen Badger      |
| Samuel S. Maloon     | Samuel Cleaves      |
| John T. G. Dinsmore  | Ichabod Goodwin     |
| James Taylor, 2d     | John Knowlton       |
| Enoch S. French      | Charles W. Brewster |
| Nathaniel Batchelder | James W. Emery      |
| Woodbridge Odlin     | Joseph Wigginn      |
| Charles Conner       | Benjamin B. Gilman  |
| Thomas Brackett, Jr. | William Goss        |
| Joseph P. Shannon    | Moses Eaton, Jr.    |
| Simon Towle          | Alfred Jewell       |
| John Nudd            | James Foss          |
| Calvin Thayer        | Theodore Dinsmore   |
| Cyrus Nesmith        |                     |

#### FOR THE COUNTY OF STRAFFORD.

|                    |                     |
|--------------------|---------------------|
| True W. McDaniel   | John H. Varney      |
| Daniel Boody       | Samuel Downing, Jr. |
| Andrew Peirce      | Stephen M. Mathes   |
| Nathaniel Jenness  | Jacob Smart         |
| Horace Clark       | William Plumer      |
| Mark Willey        | Daniel G. Rollins   |
| Mark Demeritt      | Mark Noble          |
| Samuel G. Wilson   | Stephen Young       |
| Samuel Meserve     | Andrew D. Leighton  |
| David Stevens, Jr. |                     |

**FOR THE COUNTY OF BELKNAP.**

Joseph Sleeper  
 Richard Roberts  
 John Walker  
 Enos George  
 Timothy Perkins  
 Otis French  
 Daniel G. Ladd  
 Naham Wight

Ephraim Mallard  
 Joseph Sleeper  
 Joseph B. Tilton  
 Bradbury Robinson  
 Ebenezer Fisk  
 Alexander H. Tilton  
 Ebenezer Brown

**FOR THE COUNTY OF CARROLL.**

Chester Parrish  
 William T. Cate  
 Tobias A. Hanson  
 Robinson Blaisdell  
 Abraham Drake  
 John Lord  
 Simon Drake  
 Isaac Thurston

John Smith, Jr.  
 John S. Quimby  
 Stephen Beede  
 Timothy Cook  
 Abel Haley  
 William Sawyer, Jr.  
 George W. G. Whitton  
 Augustine D. Avery

**FOR THE COUNTY OF MERRIMACK.**

Charles Rowell  
 Enoch F. Sceva  
 Abiel R. Chandler  
 Nathan Pearson, Jr.  
 James Morgan  
 Bartholomew Smith  
 Andrew Taylor  
 Nathaniel Seavey  
 Joshua F. Hoyt  
 John Griffin  
 Jeremiah F. Daniell

Micah Howe  
 Richard H. Ayer  
 John Batchelder  
 Stephen B. Peasley  
 Archibald S. Clark  
 William Knowlton  
 Cyrus Gookin  
 Asa Page  
 Harrison D. Robertson  
 Robert Thompson  
 Wells Currier

**FOR THE COUNTY OF HILLSBOROUGH.**

David Stewart  
 Samuel Fletcher  
 William Patten  
 Alpheus Shattuck

John Wilkins  
 David Atwood  
 Noyes Poor  
 Eliphalet Richards, Jr.

Zebediah Pevey  
 Ebenezer Ware, Jr.  
 John Atwood  
 Amos Flint  
 William Merrill  
 William Hadley  
 Moses Chase  
 Asa Manning  
 Daniel Clark  
 James M. Morrill  
 George F. Judkins  
 David A. Bunton  
 Samuel Smith, Jr.  
 Leonard Walker  
 Daniel Putnam

Zeptaniah Knutledge, Jr.  
 Josephus Baldwin  
 William Bordman  
 Albert McKean  
 John Preston  
 Solomon Dodge, Jr.  
 Joshua Atwood  
 William Follansbee  
 Alexander Robbe  
 Samuel Nay  
 Timothy W. Smith  
 Jonathan G. Colby  
 Daniel Page, Jr.  
 Oliver Barrett  
 Joseph Chapman

**FOR THE COUNTY OF CHESHIRE.**

Ansel Glover  
 Ara Hamilton  
 Moses Marshall  
 Amos A. Parker  
 Eliphalet K. Webster  
 Caleb Todd  
 John Felt  
 Isaac Sturtevant  
 Phinehas Handerson  
 Amos Cummings, Jr.  
 Allen Giffin  
 Isaac White  
 Kendall Fisher

Levi Howe  
 Reuben Phillips  
 Jacob Taylor  
 Charles F. Wilson  
 George Crehore  
 Joseph Barber  
 Lyman Parker  
 John W. Bellows  
 Edwin Hosmer  
 Henry S. Tudor  
 Tileston A. Barker  
 Henry Kingman  
 Hosea Pierce

**FOR THE COUNTY OF SULLIVAN.**

Edward Woodbury  
 Benjamin Challis  
 Philander C. Freeman  
 Alexander Graham  
 H. P. Handerson  
 Joseph Wood  
 Alexander Barton  
 John Gunnison  
 William C. Smith

Elisha Garfield, Jr.  
 Martin Beckwith  
 Amos Little  
 Silas Metcalf  
 David Morgan  
 Joel Whittemore  
 Harvey Huntoon  
 Thomas Laws  
 Moses F. Knowlton

**FOR THE COUNTY OF GRAFTON.**

James Crawford  
 Harry Hibbard  
 Moses Whitcher  
 Benaiah Bean  
 Robert Sargeant  
 Levi Bartlett  
 Benjamin B. Dearborn  
 James Arven  
 William S. Curtice  
 Samuel Cheever  
 David R. Buzzell  
 Paul Burnham  
 Orrin Garnsey  
 Edward E. Follansbee  
 Milton Holden  
 Agrippa Dow  
 Dixi Crosby  
 Samuel Swasey  
 Eben Eastman

John C. Hammond  
 Darwin Forbes  
 Daniel H. Cox  
 John Poor  
 Elisha P. Liscomb  
 Robert Kimball  
 Amasa Bowles  
 Richard W. Peabody  
 Josiah Kilburn  
 Cyrus Skinner  
 James Clough  
 Edward M. Bissell  
 Woodbury Jenness  
 Joseph Fifield  
 Otis Whitney  
 George W. Durgin  
 William Clough  
 Wolcot Dana

**FOR THE COUNTY OF COOS.**

Elisha Stokes  
 Samuel Lawrence  
 Samuel Crown  
 Samuel G. Bishop, Jr.  
 Aaron Ballou  
 John Morse  
 Abiel L. Eastman

Joseph Meserve  
 Amos Green  
 Nathaniel Perkins, Jr.  
 Hiram Martin  
 David Ross  
 John Burns

Your committee have included in said list, the names of the members from the towns of Franklin, Canterbury, Warren, Holderness, Jackson, Northumberland and Strafford, although no list of the ratable polls was returned at the time of the annual election, by the selectmen, as appears by the certificate of the town clerk.

They have also included in said list, the names of the members from the towns of Exeter, Middleton, Charlestown, Littleton, Hill, Hanover, Dorchester, Jackson and Stewartstown, although there were returned in the certificates of the

town clerks of said towns scattering votes, without giving the names for whom said votes were cast.

They have also included in said list, the names of the members from Barrington, although the certificate only declares the persons elected, and the whole number of votes cast at each balloting, without giving the names of the persons for whom said votes were cast.

Your committee have also examined the evidence in relation to the member from Bennington, and from the fact that there was no fraud intended, either by the board of selectmen of said Bennington, or by the member claiming a seat from said Bennington, but owing to a misapprehension of the law in the Revised Statutes, the legal voters of said Bennington presumed they had the right, and were by the act of November session, 1842, under a new classification with the town of Windsor, having the greatest number of legal voters, entitled to the privilege of holding the first annual meeting; and from the fact that in the belief of your committee, the said act of November session was not a new classification, but merely a change of the name of Society Land to Bennington, which under the name of Society Land has been classed with Windsor ever since the year 1819, and from the fact that Society Land, now Bennington, sent a member to this House the past year, and from the fact that Windsor is entitled to her choice of a member the present year, in accordance with a rule established between said towns ever since their classification in 1819; your committee ask leave to present the following resolution:

*Resolved*, That Amos Whittemore, returned a member from the town of Bennington, is not entitled to a seat in this House.

Which report was accepted.

On the question,

Shall the resolutions reported by said committee be adopted?

It was decided in the affirmative.

So the resolutions were adopted.

Mr. Butler, from the committee on Elections, to whom was referred the certificates of the election of Joseph Chapman, returned as a member of this House from the classed towns of Windsor and Bennington, and of Amos Whittemore, returned as a member of this House from said classed towns, reported a res.

elution prescribing the places for holding elections is said classed towns.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Handerson of Keene, from the select committee consisting of the delegation from the county of Cheshire, to whom was referred the statement of the treasurer of said county, showing the expenses of supporting county paupers in said county, for the five years ending April, 1843, reported, that the delegation not being informed why said statement was referred to them, and not aware of any legislation required in the matter, had instructed him to report said statement to the House, to be subject to such order as the House shall direct.

On motion of Mr. Smith of Bradford—

*Ordered*, That said statement lie upon the table.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the petitions of Isaac Twombly of the town of Rochester, praying that a portion of his farm may be severed from the town of Somersworth and annexed to the town of Rochester, by leave, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw their petition.

The House proceeded to the order of the day upon the bill, entitled "An act in relation to Banks and Banking;"

Which was read a second time.

Mr. Hibbard proposed an amendment to said bill,

Which was adopted.

On motion of Mr. Peirce of Dover—

*Ordered*, That said bill lie upon the table and the Clerk be directed to procure three hundred printed copies for the use of the House.

The House proceeded in the order of the day upon bills with the following titles and the following resolutions, to wit:

"An act in favor of the Artillery company in the third Regiment, N. H. Militia."

"An act in amendment of the two hundred and fifteenth chapter of the Revised Statutes;"

"An act in amendment of the two hundred and twenty-second chapter of the Revised Statutes;"

"An act providing for the return of inventories;"

A resolution prescribing the place of holding elections in the classed towns of Windsor and Bennington;

A resolution requiring the selectmen of towns to make school returns;

Which were read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill, entitled "An act districting the State for the election of members of Congress;"

Which was read a second time.

Mr. Pierce of Dover moved that said bill be referred to a committee of the whole House and made the special order of the day for four o'clock this afternoon.

Mr. Hibbard moved that the further consideration of said bill be indefinitely postponed.

And the question being put,

The yeas and nays were called for.

Those who voted in the affirmative are Messrs.—

Clarke of Atkinson  
Smith of Oandia  
Prescott  
Meloan  
Dinsmore of Derry  
Batchelder of Epping  
Brackett  
Shannon  
Nudd  
Nesmith  
Oliver  
Holt of Newington  
Leavitt  
Butler  
Badger  
Gilman  
Goss  
Jewell  
Foss  
Willey  
Demeritt  
Wilson of Lee  
Meserve of Madbury  
Stevens

Young  
Walker of Barnstead  
Perkins of Centre Harbor  
Tilton of Meredith  
Tilton of Sandbornton  
Brown of Sandbornton  
Cate  
Drake of Effingham  
Lord  
Drake of Moultonborough  
Thurston  
Smith of Ossipee  
Quimby  
Avery  
Rowell  
Sceva of Andover  
Morgan of Bow  
Smith of Bradford  
Hoyt of Dunbarton  
Howe of Henniker  
Peaslee  
Clark of Northfield  
Knowlton of Pittsfield  
Gookin

|                                   |                                  |
|-----------------------------------|----------------------------------|
| <b>Page of Sutton</b>             | <b>Morgan of Plainfield</b>      |
| <b>Robertson</b>                  | <b>Whittemore of Springfield</b> |
| <b>Thompson</b>                   | <b>Huntoon</b>                   |
| <b>Currier</b>                    | <b>Knowlton of Wendell</b>       |
| <b>Fletcher</b>                   | <b>Crawford</b>                  |
| <b>Shattuck</b>                   | <b>Hibbard</b>                   |
| <b>Wilkins</b>                    | <b>Whitcher</b>                  |
| <b>Poor of Goffstown</b>          | <b>Sargent</b>                   |
| <b>Richards</b>                   | <b>Arven</b>                     |
| <b>Peavey</b>                     | <b>Curtice</b>                   |
| <b>Ware</b>                       | <b>Cheever</b>                   |
| <b>Flint</b>                      | <b>Garnsey</b>                   |
| <b>Merrill</b>                    | <b>Follansbee of Grafton</b>     |
| <b>Hadley</b>                     | <b>Holden</b>                    |
| <b>Manning</b>                    | <b>Dow</b>                       |
| <b>Smith of Mason</b>             | <b>Eastman of Haverhill</b>      |
| <b>Walker of Merrimack</b>        | <b>Hammond</b>                   |
| <b>Kittredge</b>                  | <b>Forbes</b>                    |
| <b>McKean</b>                     | <b>Poor of Landaff</b>           |
| <b>Dodge of New Boston</b>        | <b>Jeness of Piermont</b>        |
| <b>Atwood of Pelham</b>           | <b>Fifield</b>                   |
| <b>Follansbee of Peterborough</b> | <b>Whitney</b>                   |
| <b>Nay</b>                        | <b>Durgin</b>                    |
| <b>Colby</b>                      | <b>Clough of Warren</b>          |
| <b>Paige of Weare</b>             | <b>Dana</b>                      |
| <b>Chapman</b>                    | <b>Buzzell</b>                   |
| <b>Webster</b>                    | <b>Stokes</b>                    |
| <b>Giffin</b>                     | <b>Drown</b>                     |
| <b>Fisher</b>                     | <b>Bishop</b>                    |
| <b>Taylor of Stoddard</b>         | <b>Ballou</b>                    |
| <b>Parker of Swanzey</b>          | <b>Eastman of Jackson</b>        |
| <b>Woodbury</b>                   | <b>Meserve of Jefferson</b>      |
| <b>Barton</b>                     | <b>Green</b>                     |
| <b>Gunnison</b>                   | <b>Perkins of Pittsburgh</b>     |
| <b>Smith of Grantham</b>          | <b>Martin</b>                    |
| <b>Little</b>                     | <b>Ross</b>                      |
| <b>Metcalf</b>                    | <b>Burns</b>                     |

Those who voted in the negative are Messrs.—

**Veazey**  
**Brown of Chester**

**Bradley**  
**Taylor of Derry**

|                         |                        |
|-------------------------|------------------------|
| French of East Kingston | Taylor of Canterbury   |
| Odlin                   | Seavey of Chichester   |
| Conner                  | Griffin                |
| Towle of Hampton        | Daniell                |
| Thayer                  | Ayer                   |
| Towle of New Market     | Batchelder of London   |
| Furber                  | Stewart                |
| Cleaves                 | Patten                 |
| Goodwin                 | Atwood of Francestown  |
| Knowlton of Portsmouth  | Chase                  |
| Brewster                | Clark of Manchester    |
| Emery                   | Morrill                |
| Wiggin                  | Judkin                 |
| Eaton                   | Bunton                 |
| Dinsmoor of Windham     | Putnam                 |
| McDaniell               | Baldwin                |
| Boody                   | Boardman               |
| Peirce of Dover         | Preston                |
| Jenness of Dover        | Smith of Temple        |
| Clark of Dover          | Barrett                |
| Varney                  | Hamilton               |
| Smart                   | Marshall               |
| Plumer                  | Parker of Fitzwilliam  |
| Rollins                 | Todd                   |
| Noble                   | Felt                   |
| Leighton                | Sturtevant             |
| Sleeper of Alton        | Handerson of Keene     |
| Roberts                 | Cummings               |
| Ladd                    | White                  |
| Wight                   | Howe of Rindge         |
| Mallard                 | Phillips               |
| Sleeper of Gilford      | Wilson of Sullivan     |
| Fisk                    | Crehore                |
| Parrish                 | Hosmer                 |
| Hanson                  | Tudor                  |
| Blaisdell               | Barker                 |
| Beede                   | Kingman                |
| Cook                    | Pierce of Winchester   |
| Haley                   | Challis                |
| Sawyer                  | Freeman                |
| Chandler                | Graham                 |
| Pearson                 | Handerson of Claremont |

Wood  
Garfield  
Bean  
Bartlett  
Dearborn  
Cox

Liscomb  
Kimball  
Kilburn  
Skinner  
Bissell

On motion of Mr. Durgin—

*Resolved*, That the rules of the House be so far suspended that he may have an opportunity of voting at the present time.

The name of Mr. Durgin being called he answered in the affirmative.

Ayes 122, noes 99.

So the affirmative of the question prevailed,  
And the further consideration of the bill was indefinitely postponed.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate have passed a bill, entitled “An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes,” in which they ask the concurrence of the House of Representatives.

The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

“An act in amendment of the twenty-third chapter of the Revised Statutes;”

“An act to alter one of the times of holding the Courts of Probate in the county of Carroll.”

The House proceeded to the consideration of the foregoing bill, entitled “An act in amendment of chapter 150 and in addition to chapter 155 of the Revised Statutes,” which came down from the Hon. Senate;

Which was read a first time.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the resolution appointing a committee to appraise the property of the State in the State Prison.

Mr. Clarke of Atkinson, moved to amend said resolution by inserting a substitute.

Said resolution was as follows :

*Resolved*, That the committee on the State Prison, be instructed to appraise at its cash value the stock, tools, book accounts, notes and all the other property of the Prison belonging to the State, and report to this House.

The resolution proposed by Mr. Clarke of Atkinson, as a substitute for the original resolution was as follows :

*Resolved*, That the committee on the State Prison be instructed to cause an appraisement at its cash value of all the stock, tools and all other property in the State Prison belonging to the State, and also, the amount of all demands whether of notes or book accounts, and what in their opinion, is their value in cash, and report as soon as may be.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

The following message from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:

*"To the Hon. Senate and House of Representatives :*

I herewith transmit the annual report and return of the Adjutant and Quarter Master General, which give an abstract of the number and condition of our militia for the present year, with an account of the ordnance, arms, equipments and other public property now in the charge of the Commissary General, and also an account of the present condition of the ordnance, arms, equipments and other public property now under the control of different companies and regiments connected with the militia.

HENRY HUBBARD.

Council Chamber, June 21, 1843."

On motion of Mr. Smith of Bradford—

*Ordered*, That the message of His Excellency the Governor,

with the accompanying documents, be referred to the committee on Military Affairs.

The following message from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

*“To the Hon. Senate and House of Representatives:*

At the session of the Executive Department in June, 1842, Samuel Cushman of Portsmouth, James Foss of Greenland, and James Burley of Exeter, were appointed and commissioned in pursuance of the resolve of the Legislature, approved July 3, 1841, Trustees of the Exeter Savings Bank, and direction was given to said Trustees “to take possession of and manage and close the entire concerns of said Institution, and to pay over the proceeds to the several depositors in proportion to their several deposits.” The trustees accepted the trust and executed a sufficient bond for the faithful performance of their duty. I herewith transmit to the Legislature a communication received from said trustees in relation to their doings, and giving an account of the expenses incurred. It has been stated to the Executive, that the injunction awarded and issued against the trustees of the corporation, had been dissolved by the court in accordance with an arrangement made between the depositors and others concerned, and a sufficient bond was thereupon executed by said trustees, faithfully to distribute the amount in deposit to those to whom it justly belonged. I have considered it proper again to present this subject to your consideration, in order that any further proceedings may be directed if necessary to carry into effect the purpose designed; and if no further proceedings should be deemed important, the Legislature will consider the exhibit of expenses, and determine if any and what further appropriations are required to compensate for the services and disbursements of those agents appointed as before stated.

HENRY HUBBARD.

Council Chamber, June 22, 1843.”

On motion of Mr. Foss of Stratham—

*Ordered,* That the message of His Excellency the Governor with the accompanying documents be referred to the committee on Claims.

Mr. Eastman, from the committee on Education, to whom was referred the resolution instructing said committee to inquire into the expediency of amending the fourth section of chapter seventy two of the Revised Statutes, by leave, made a report,

Whereupon—

*Resolved*, That it is inexpedient at the present time to legislate upon the subject.

On motion of Mr. Sturtevant of Keene—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of introducing a bill so amending chapter 226 of an act entitled Revised Statutes of the State of New Hampshire, as to make the assaulting a jailor or other person employed in jail in this State, while in the discharge of his duty, by any person confined in such jail, punishable, either by confinement to hard labor in the State Prison, or such other punishment as the aggravation of the offence may seem to require.

On motion of Mr. Butler—

*Resolved*, That Amos Whittemore be entitled to receive his pay for travel and attendance as a member of this House until Thursday the 22nd day of June instant, and that the Clerk be directed to make up the pay roll accordingly.

Mr. Hibbard, gave notice that he will hereafter move a reconsideration of the resolution reported yesterday from the committee on Public Lands, to whom was referred the petition of Joseph M. Given and Lucinda C. Given; also, that he will move a reconsideration of the resolution submitted yesterday and passed by the House, relative to the subject matter of said petition.

On motion of Mr. Smith of Grantham—

The House adjourned.

## AFTERNOON.

The House proceeded to the order of the day upon a bill with the following title and the following resolution, to wit:

"An act in amendment of chapter 23 of the Revised Statutes;"

A resolution in favor of Samuel D. Bell and Charles J. Fox;  
Which were severally read a third time.

*Resolved*, That they pass and that the title of the bill be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill,

entitled "An act in amendment of the one hundredth chapter of the Revised Statutes relating to the inspection of mess beef;"

Which was read a third time.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That the bill be put upon its second reading for the purpose of amendment.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That said bill be referred to the committee on bills on their second reading.

The House proceeded to the order of the day upon the bill, entitled "An act in amendment of chapter 71 of the Revised Statutes."

On motion of Mr. Preston—

*Ordered*, That said bill be recommitted to the committee on the Judiciary.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill entitled "An act providing for the return of inventories," which is in order for a third reading to-morrow afternoon at three o'clock, be in order for a third reading at the present time.

The House accordingly proceeded to the order of the day upon the bill entitled "An act providing for the return of inventories."

Said bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution appointing Jacob C. Carter Librarian, which came down from the Hon. Senate.

Said resolution was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded to the consideration of the unfinished business of yesterday upon the bill entitled "An act to incorporate the Northern Railroad company."

The question being upon the adoption of an amendment proposed by Mr. Emery.

On the question,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

The question being,

Shall said bill be read a third time?

On motion of Mr. Hibbard—

*Ordered*, That it lie upon the table.

Agreeably to previous notice, and by leave, Mr. Patten introduced a bill entitled "An act in amendment of an act to incorporate the Granite Bridge, passed June, 1839,"

Which was read a first time.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the petition of Adino N. Brackett and others, praying for the passage of a law to prevent obstructions of the Connecticut river, at places adjoining the land of said petitioners, and also a bill, entitled "An act to remove obstructions from Connecticut river," by leave, made a report,

Whereupon—

*Resolved*, That the further consideration of said bill and petition be indefinitely postponed.

On motion of Mr. Handerson of Keene—

*Resolved*, That the rules of the House be so suspended that he be allowed at this time to introduce a bill.

Mr. Handerson of Keene accordingly introduced a bill, entitled "An act in amendment of chapter 73 of the Revised Statutes;"

Which was read a first time.

On motion of Mr. Handerson of Keene—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion—

*Ordered*, That said bill be referred to the committee on Education.

Mr. Barker, from the committee on Military Affairs, to whom was referred the resolution, instructing them to inquire into the expediency of reporting a bill, making an appropriation for the safe keeping of State arms distributed among military companies, by leave, reported a bill, entitled "An act for the care and safe keeping of the State arms distributed to the militia;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Smith of Bradford, from the committee on the Judiciary,

to whom was referred the bill, entitled "An act in amendment of chapter two hundred and twenty-eight of the Revised Statutes of New Hampshire," by leave, made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

On motion of Mr. Peirce of Dover—

*Ordered*, That said resolution lie upon the table.

On motion of Mr. Fifield—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending chapter 55 of the Revised Statutes.

On motion of Mr. Rollins—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of passing an act authorizing and empowering counties to purchase and hold real estate for the support of paupers, and report by bill or otherwise.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, directing the manner in which the several bills in amendment of the Revised Statutes shall be engrossed, with an amendment, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing resolution, with the amendment, which came down from the Hon. Senate.

On the question,

Will the House concur with the Senate in the adoption of said amendment?

It was decided in the affirmative.

So the House concurred with the Hon. Senate in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The following message from His Excellency the Governor was received by the Secretary of State,

Which was read and is as follows:

*"To the Hon. Senate and House of Representatives:*

I herewith transmit to the legislature a communication, which I have received from the State Treasurer, giving a statement of the

probable disbursements at the treasury, between the present time and December, 1843, and also his estimate of the probable receipts and disbursements between December, 1843, and June 1, 1844.

HENRY HUBBARD.

Council Chamber, June 22, 1843.

On motion of Mr. Smith of Bradford—

*Ordered*, That the message of His Excellency the Governor, with the accompanying document be referred to the committee on Finance.

Mr. Smith of Ossipee, by leave, presented the petition of Luther D. Sawyer and others, praying for an amendment of chapter 117, section 3, of the Revised Statutes.

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that he be allowed at this time to introduce a bill.

Mr. Peirce of Dover accordingly introduced a bill, entitled "An act to incorporate the proprietors of the meeting house of the first Congregational society in Concord;"

Which was read a first time.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

On motion of Mr. Peirce of Dover—

*Ordered*, That said bill be referred to the committee on Incorporations.

Mr. Garnsey, from the committee on Military Affairs, to whom was referred the petition of A. W. Sawyer and others, Albert Riddle and others, and A. S. Tilden and others, all praying for an amendment of the militia law, relating to the manner of appointing officers, by leave, reported a bill, entitled "An act relating to the recommendation of persons for military offices;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Emery—

*Resolved*, That the rules of the House be so far suspended that he be allowed at this time to introduce a bill.

Mr. Emery accordingly introduced a bill, entitled "An act in relation to the Judiciary;"

Which was read a first time.

On motion of Mr. Emery—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion of Mr. Emery—

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Leavitt, by leave, presented the account of Isaac L. Folsom.

*Ordered*, That it be referred to the committee on Claims.

On motion of Mr. Hibbard—

The House reconsidered the vote of yesterday, postponing to the next session of the legislature the further consideration of the petition of John M. and Lucinda C. Givin, praying for a grant of land; formerly the site of a gun house, in the town of Hanover, also the resolution passed by the House yesterday, empowering said petitioners to hold in possession said land.

On motion of Mr. Hibbard—

*Ordered*, That said resolution and petition be recommitted to the committee on Public Lands.

On motion of Mr. Durgin—

*Resolved*, That the rules of the House be so far suspended that he be allowed at this time to introduce a bill.

Mr. Durgin accordingly introduced a bill, entitled "An act in addition to and in amendment of Title XII and chapter seventy-six of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Barker—

The House adjourned.

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## FRIDAY, JUNE 23, 1843.

Mr. Ayer presented the petition of Laban Page, praying for relief from losses incurred in the performance of a contract in the erection of the Insane Asylum.

*Ordered*, That it be referred to the committee on Claims.

Mr. Manning presented the petition of officers of the Lafayette Artillery company in the 22d regiment of N. H. militia, and oth-

bers, praying for the grant of a new piece of ordnance and a carriage therefor;

Mr. Gookin presented the petition of Cyrus Fitts, praying for the removal of an officer in the 21st regiment of N. H. militia;

Mr. Underhill presented the petition of officers and soldiers of the second company of infantry in the 17th regiment, praying for a similar object;

Mr. Webster presented the petition of officers of the 20th regiment of N. H. Militia, praying for a similar object.

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the bill entitled "An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes," reported said bill without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Handerson of Keene, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in amendment of chapter 124 of the Revised Statutes, made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of passing an act authorizing and empowering counties to purchase and hold real estate for the support of paupers, made a report,

Whereupon—

*Resolved*, That further legislation thereon is inexpedient.

Mr. Clark of Manchester, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in relation to the Judiciary," reported said bill without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Laws, from the committee on the Judiciary, to whom was referred the resolution, instructing said committee to inquire into the expediency of amending chapter 226 of the Revised Statutes, relating to persons confined in jail and assaulting jailers, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate thereon.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred the bill, entitled "An act in amendment of

chapter 73 of the Revised Statutes" reported said bill without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Stevens, from the committee on Elections, to whom was referred the petition of legal voters of the town of Chatham, praying for the passage of an act authorizing said town to send a representative to the General Court, reported the following resolution :

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature, and that the Secretary of this State cause a copy of said petition and this order thereon, to be served on the towns of Albany and Chatham, by causing the same to be left with the chairman of the board of selectmen of each of said towns of Albany and Chatham, at least thirty days before the next annual meeting to be holden in said towns.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the report of the directors of the Amoskeag Falls Bridge, made a report,

Whereupon—

*Resolved*, That said report is full and satisfactory, and that it be filed in the office of the Secretary of State.

Mr. Colby, from the committee on Incorporations, to whom was referred the petition of David Seacomb and others, praying for an act of incorporation for the pew owners in the meeting house of the first congregational society in Milford, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Dow, from the committee on Incorporations, to whom was referred the bill, entitled "An act to incorporate the Piscataquog railroad company," reported said bill with an amendment,

Which was read a first time.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On the question,

Shall the amendment proposed by said committee be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Hibbard—

*Ordered*, That said bill lie upon the table.

Mr. Gunnison, from the committee on Agriculture and Manufactures, to whom was referred the petition of Henry S. Perrin and others, praying for the passage of a law for the encouragement of silk growing and manufacturing, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Dana, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the message of His Excellency the Governor, transmitting resolutions of the General Assembly of the State of Kentucky, proposing sundry amendments to the constitution of the United States; the message of His Excellency the Governor, transmitting certain resolutions of the Legislature of Massachusetts, relating to the imprisonment of citizens of that Commonwealth in other States; the petitions of the liberty convention of Rockingham county, and of Isaac Sanderson and others, praying for an amendment of the laws, so as to protect persons claimed as fugitives from justice, be referred to the committee on the Judiciary.

Mr. Dodge, from the committee on Education, to whom was referred the petition of Robert Hopkins, praying to be severed from school district No. 3 in the town of Windham, and annexed to school district No. 5 in the town of Derry; and the petition of Nathaniel Clark and others, remonstrating against granting the prayer of said petition, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to bring in a bill.

Mr. Durgin, from the committee on Military Affairs, to whom was recommitted the bill, entitled "An act in favor of the artillery company in the 28th regiment," reported said bill in a new draft,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Haley, from the committee on Towns and Parishes, to whom was referred the petition of Nathaniel Rix, Jr., praying that a portion of his farm may be severed from the town of Piermont, and annexed to the town of Haverhill, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Tudar, from the committee on Towns and Parishes, to whom was referred the petition of Simeon Brown and others,

praying that the farm of said Brown may be severed from the town of Andover, and annexed to the town of Franklin, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Garnsey, from the committee on Military Affairs, to whom was referred the resolution, instructing them to inquire into the expediency of disannexing the 5th company of militia from the 19th regiment of N. H. militia, and annexing the same to the 29th regiment, made a report,

Whereupon—

*Resolved*, That is inexpedient to legislate upon the subject.

Mr. Atwood, from the committee on Military Affairs, to whom was referred the bill, entitled "An act in addition to the eighth section of the ninety-third chapter of the Revised Statutes," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Jenness of Dover, from the committee on Military Affairs, to whom was referred the petition of the officers of the Dover artillery company and others, in the 2d regiment of N. H. militia, praying for a grant of two pieces of brass ordnance, reported a bill, entitled "An act in favor of the Dover artillery company,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Garnsey, from the committee on Military Affairs, to whom was referred the resolution, instructing them to inquire into the expediency of instructing our Senators, and requesting our Representatives in Congress to exert their efforts to abolish the military academy at West Point, reported a preamble and sundry resolutions upon that subject.

On the question,

Shall said preamble and resolutions be adopted?

It was decided in the affirmative.

So the preamble and resolutions were adopted.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Thompson, from the committee on the State Prison, to whom was referred the resolution instructing them to inquire into the expediency of the State's furnishing mess beef to the inmates of the State prison, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Towle, from the committee on the Alteration of Names, to whom was referred sundry petitions, praying for the alteration of names, reported a bill, entitled "An act to alter the names of certain persons,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Agreeably to leave of the House, upon report of the committee, Mr. Lord introduced a bill, entitled "An act to annex James Ferren of Freedom, to school district No. 4 in Eaton,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

The following message from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

*"To the Hon. Senate and House of Representatives :*

I herewith transmit to the Legislature the returns of the cashiers of the banks in this State, (as far as they have been received at the Secretary of State's office,) showing the condition of said banks as they existed on the first Monday of June, 1843.

HENRY HUBBARD.

Council Chamber, June 22, 1843."

On motion of Mr. Giffin—

*Ordered*, That the message of His Excellency the Governor, with the accompanying bank returns, be referred to the committee on Banks.

On motion of Mr. Colby—

The House resumed the consideration of the bill, entitled "An act to incorporate the Piscataquog railroad company."

On motion of Mr. Colby—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Drown, from the committee on Public Lands, to whom was referred the petition of Clark J. Haines and others, inhabitants of the town of Pittsburgh, praying for a grant of land for the purposes of schooling, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

On motion of Mr. Smith of Grantham—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending section 3, chapter 39 of the Revised Statutes, so that persons having money or notes deposited with them for safe keeping, or otherwise, by persons not residing in their town, shall be taxed for the same, provided that if satisfactory evidence shall be produced to the selectmen that such money or notes shall have been taxed elsewhere for that year, then such taxes shall be abated, and report by bill or otherwise.

Mr. Goodwin submitted the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the Treasurer of this State be, and he hereby is authorized and required to apply for and receive from the Treasurer of the United States, any money now remaining in the treasury of the United States assigned to the State of New Hampshire, for the use of the State.

Mr. Hibbard moved that the further consideration of the resolution be indefinitely postponed.

On motion of Mr. Drake of Moultonborough—

The House adjourned.

## AFTERNOON.

The House proceeded to the order of the day upon bills with the following titles, and the following resolutions, to wit ;

“An act in amendment of the two hundred and fifteenth chapter of the Revised Statutes;”

“An act in amendment of the two hundred and twenty-second chapter of the Revised Statutes;”

“An act in favor of the artillery company in the third regiment of N. H. militia;”

Sundry resolutions requiring the selectmen of towns to make school returns;

A resolution prescribing the places of holding elections in the classed towns of Windsor and Bennington;

Which were severally read a third time.

*Resolved*, That they pass, and that the titles of the bills be as aforesaid. ;

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Rollins gave notice that he will to-morrow ask leave to introduce a bill, in addition to the 49th chapter of the Revised Statutes.

The House proceeded to the consideration of the unfinished business of the forenoon, upon the resolution submitted by Mr. Goodwin, authorizing the State Treasurer to receive the portion of the proceeds of the sales of the public lands in the United States' treasury, assigned to the State of New Hampshire.

The question being upon the indefinite postponement of said resolution,

And the question being put,

Shall said resolution be indefinitely postponed?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

|                          |                         |
|--------------------------|-------------------------|
| Clarke of Atkinson       | Tilton of Sandbornton   |
| Smith of Candia          | Brown of Sandbornton    |
| Bradley                  | Drake of Effingham      |
| Prescott                 | Lord                    |
| Meloon                   | Drake of Moultonborough |
| Dinsmore of Derry        | Thurston                |
| Nesmith                  | Smith of Ossipee        |
| Oliver                   | Haley                   |
| Hoit of Newington        | Whitton                 |
| Leavitt                  | Avery                   |
| Furber                   | Rowell                  |
| Badger                   | Sceva of Andover        |
| Gilman                   | Morgan of Bow           |
| Goss                     | Smith of Bradford       |
| Jewell                   | Hoyt of Danbarton       |
| Foss                     | Daniell                 |
| Willey                   | Howe of Henniker        |
| Demeritt                 | Peaslee                 |
| Meserve of Madbury       | Clark of Northfield     |
| Stevens                  | Gookin                  |
| Smart                    | Page of Sutton          |
| Sleeper of Alton         | Robertson               |
| Walker of Barnstead      | Thompson                |
| George                   | Currier                 |
| Perkins of Centre Harbor | Fletcher                |

|                           |                      |
|---------------------------|----------------------|
| Shattuck                  | Whitaker             |
| Poor of Goffstown         | Sargeant             |
| Richards                  | Dearborn             |
| Peavey                    | Arven                |
| Ware                      | Curtis               |
| Flint                     | Cheever              |
| Merrill                   | Burnham              |
| Hadley                    | Garnsey              |
| Manning                   | Holden               |
| Smith of Mason            | Dow                  |
| Walker of Merrimack       | Crosby               |
| Kittredge                 | Eastman of Haverhill |
| McKean                    | Hammond              |
| Dodge of New Boston       | Forbes               |
| Atwood of Pelham          | Poor of Landaff      |
| Robbe                     | Bowles               |
| Nay                       | Clough of Orange     |
| Paige of Weare            | Fifield              |
| Chapman                   | Whitney              |
| Glover                    | Durgin               |
| Giffin                    | Clough of Warren     |
| Fisher                    | Dana                 |
| Barber                    | Buzzell              |
| Parker of Swanzey         | Stokes               |
| Woodbury                  | Morse                |
| Barton                    | Lawrence             |
| Gunnison                  | Drown                |
| Beckwith                  | Bishop               |
| Little                    | Ballou               |
| Metcalf                   | Eastman of Jackson   |
| Whittemore of Springfield | Meserve of Jefferson |
| Huntoon                   | Green                |
| Laws                      | Perkins of Pittsburg |
| Knowlton of Wendell       | Martin               |
| Crawford                  | Ross                 |
| Hibbard                   | Burns                |

Those who voted in the negative are, Messrs.

|                  |                         |
|------------------|-------------------------|
| Veazey           | French of East Kingston |
| Underhill        | Batchelder of Epping    |
| Brown of Chester | Odlin                   |
| Taylor of Derry  | Conner                  |

|                        |                            |
|------------------------|----------------------------|
| Brackett               | Taylor of Canterbury       |
| Towle of Hampton       | Seavey of Chichester       |
| Nudd                   | Griffin                    |
| Thayer                 | Ayer                       |
| Towle of New Market    | Batchelder of Loudon       |
| Cleaves                | Stewart                    |
| Goodwin                | Patten                     |
| Knowlton of Portsmouth | Atwood of Francestown      |
| Brewster               | Chase                      |
| Emery                  | Clark of Manchester        |
| Wiggin                 | Morrill                    |
| Eaton                  | Judkin                     |
| Dinsmoor of Windham    | Bunton                     |
| McDaniel               | Futnam                     |
| Boody                  | Baldwin                    |
| Peirce of Dover        | Preston                    |
| Jenness of Dover       | Follansbee of Peterborough |
| Clark of Dover         | Smith of Temple            |
| Wilson of Lee          | Barrett                    |
| Varney                 | Hamilton                   |
| Plumer                 | Marshall                   |
| Rollins                | Parker of Fitzwilliam      |
| Noble                  | Todd                       |
| Young                  | Felt                       |
| Laighton               | Sturtevant                 |
| Roberts                | Handerson of Keene         |
| French of Gilmanton    | Cummings                   |
| Ladd                   | White                      |
| Wight                  | Howe of Rindge             |
| Mallard                | Phillips                   |
| Sleeper of Gilford     | Wilson of Sullivan         |
| Tilton of Meredith     | Crehore                    |
| Fisk                   | Hosmer                     |
| Cate                   | Tudor                      |
| Hanson                 | Kingman                    |
| Blaisdell              | Pierce of Winchester       |
| Quimby                 | Challis                    |
| Beede                  | Freeman                    |
| Cooke                  | Wood                       |
| Sawyer                 | Smith of Grantham          |
| Chandler               | Garfield                   |
| Pearson                | Morgan of Plainfield       |

Bean  
Bartlett  
Cox  
Liscomb  
Kimball

Peabody  
Kilburn  
Skinner  
Bissell

On motion of Mr. Colby—

*Resolved*, That the rules of the House be so far suspended, that he be allowed to vote on the question at the present time.

The name of Mr. Colby being called, he answered in affirmative.

Ayes 121, Noes 101.

So the affirmative of the question prevailed,  
And the resolution was indefinitely postponed.

On motion of Mr. Colby—

*Resolved*, That the committee on Military Affairs, be instructed to inquire into the expediency of furnishing additional aid and encouragement to companies of cavalry, and report by bill or otherwise.

Mr. Flint, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, the following resolutions, to wit :

A resolution authorizing the Governor to appoint an agent, with powers to refer to arbitrators in the suit of the State against Gordon Burley;

A resolution appointing Jacob C. Carter Librarian for the ensuing year;

A resolution in relation to the laws in amendment of the Revised Statutes;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Agreeably to leave of the House, upon report of a committee, Mr. Barrett of Wilton introduced a bill, entitled "An act to incorporate the proprietors of the Nashua and East Wilton railroad;"

Which was read a first time.

On motion of Mr. Stewart—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion of Mr. Stewart—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion—

The House adjourned.

SATURDAY, JUNE 24, 1843.

Mr. Hibbard presented the account of George McDaniel;

Also the account of Ebenezer Glines;

Mr. Parker of Fitzwilliam presented the account of Josiah Stevens, Jr.

*Ordered*, That said accounts be referred to the committee on Claims.

Mr. Hibbard presented the petition of William Southard and others, inhabitants of the town of Haverhill and Bath, praying that a tract of land may be severed from school districts No. 11 and 16 in Haverhill and annexed to school district No. 11 in Bath, for the purpose of schooling.

*Ordered*, That it be referred to the committee on Education.

Mr. Hanson presented the petition of Ethan A. Crawford and others, praying that lots of land No. 1, in the 4th range, and No. 1 in the fifth range of lots in the town of Carroll, be severed from said town and be annexed to the place called Nash and Sawyer's Location.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Crosby, from the committee on the Judiciary, to whom was referred the bill, entitled "An act for the more equal assessment of taxes," made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Hibbard, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending section 3, chapter 39 of the Revised Statutes, so that persons having money or notes deposited with them for safe keeping or otherwise, by persons not residing in their town, shall in certain cases be taxed for the same, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Peirce of Dover, from the committee on the Judiciary,

to whom was recommitted the resolution, instructing them to inquire into the expediency of bringing in a bill, the more effectually to protect the poor debtor from extortion from lawyers and sheriffs by their taking unlawful fees, made a report,

Whereupon—

*Resolved*, That it is not expedient to legislate further upon the subject.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in amendment of chapter 71 of the Revised Statutes," reported a bill, entitled "An act in amendment of chapter 71 of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act in amendment of an act to incorporate the Granite Bridge, made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Emery, from the committee on Roads, Bridges and Canals, to whom was referred the petition of R. Armington and 45 others; praying for a grant of a charter for a toll bridge across the Connecticut river, between Lyman, N. H. and Barnet, Vt., made a report,

Whereupon—

*Resolved*, That the subject matter of said petition be postponed to the next session of the Legislature, in order that the order of notice, directed by the last legislature, may be complied with.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom were referred the petitions of David A. Gregg and others, the petition of Samuel Dickey and others, and the petition of George Griffin and others, all praying for the grant of a charter for a toll bridge across the Merrimack river, between the towns of Litchfield and Merrimack, made a report,

Whereupon—

*Resolved*, That the further consideration of said petitions be postponed to the next session of the legislature, and that the petitioners cause an order of notice to be published in one of the newspapers published in Concord, three weeks prior to the next session of the legislature.

Mr. Emery, from the committee on Roads, Bridges and Canals, to whom was referred the petition of Samuel Robie and 132

others, praying for the passage of an act prohibiting the Concord railroad from carrying freight, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Holden, from the committee on Towns and Parishes, to whom was referred the petition of Warren Nutter and 102 others, praying for an act of incorporation for a new town to be composed of part of the towns of Wakefield, Ossipee and Effingham, made a report,

Whereupon—

*Resolved*, That the further consideration of the subject be indefinitely postponed.

Mr. Burnham, from the committee on Military Accounts, to whom was referred the accounts of B. Stephenson and of John F. Holt, reported a resolution in favor of B. Stephenson and John F. Holt,

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Batchelder, from the committee on Military Affairs, to whom was referred the petition of officers of the Lafayette Artillery company in the 22d regiment of N. H. militia, and others, praying for a grant of a new piece of ordnance and a carriage therefor, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature.

Mr. Freeman, from the committee on Incorporations, to whom was referred the petition of Hayes D. Copp and others, praying that the charter of the turnpike from Jackson to Randolph may be revoked, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next annual session of the legislature, and that the petitioners cause a notice of the pendency of said petition to be published in some newspaper printed in the county of Coos, three weeks successively, the last publication to be at least sixty days before the second Wednesday of June, A. D. 1844.

Mr. Peirce of Dover, from the select committee, consisting of the delegation from the county of Strafford, to whom was referred the petition of the selectmen of Somersworth, praying that the Courts may be removed from Dover to Somersworth, made a report,

Whereupon—

*Resolved*, That the further consideration thereof be indefinitely postponed.

Agreeably to a resolution of the House, upon report of a committee, Mr. Dinsmoor of Derry introduced a bill, entitled "An act to annex Robert Hopkins of Windham to school district No. 5 in Derry,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Peirce of Dover, from the select committee, consisting of the delegation from the county of Strafford, to whom was referred the communication of the treasurer of Strafford county, relative to the expenses incurred in supporting county paupers for the five years ending June 1st, 1843, made a report,

Whereupon—

*Resolved*, That said communication be deposited in the office of the Secretary of State.

Mr. Hibbard, by leave, presented the report of Ebenezer Glines, agent for the care of the public lands in the county of Coos for the year 1843;

Also the report of George McDaniel, agent for the care of the public lands in the counties of Grafton and Carroll, for the year 1843;

Which were read.

On motion of Mr. Hibbard—

*Ordered*, That they be referred to the committee on Public Lands.

Mr. Hibbard gave notice that he will on Monday next ask leave to introduce a bill, entitled "An act in amendment of the 44th section of chapter 140 of the Revised Statutes of the State of New Hampshire."

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate have passed a resolution in relation to furnishing each jailor in this State, with a copy of the Revised Statutes, in which they ask the concurrence of the House of Representatives."

The House proceeded to the consideration of the foregoing resolution furnishing each jailor in this State with a copy of the Revised Statutes, which came down from the Hon. Senate,

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

The Clerk laid upon the Speaker's table a communication received by him from the Treasurer of the county of Coos, relating to the expense of supporting county paupers in that county, made in accordance with a resolution of the House, passed June 13, 1843,

Which was read.

On motion—

*Ordered*, That it be deposited in the office of the Secretary of State.

The House proceeded to the order of the day upon bills with the following titles, and the following resolution, to wit:

"An act to provide for the care and safe keeping of the State arms distributed to the militia;"

"An act in addition to and amendment of title twelve and chapter seventy-six of the Revised Statutes;"

"An act in favor of the Artillery company in the twenty-eighth regiment;"

"An act in favor of the Dover Artillery company;"

"An act to alter the names of certain persons;"

"An act to annex Robert Hopkins of Windham to school district No. 5, in Derry;"

"An act to annex James Ferrin of Freedom to school district No. four in Eaton;"

"An act in amendment of chapter seventy-one of the Revised Statutes;"

A resolution in favor of Benjamin Stephenson and John F. Holt;

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act relating to the recommendation of persons for military officers;"

Which was read a second time.

On the question,

Shall the bill be read a third time?

It was decided in the negative.

So the House refused to pass said bill to a third reading.

The House proceeded in the order of the day upon the resolution, furnishing to the jailers of the several counties of this State copies of the Revised Statutes, which came down from the Hon. Senate,

Which was read a second time.

Mr. Barker proposed an amendment to said resolution which was rejected.

On the question,

Shall the resolution be read a third time?

It was decided in the negative.

So the House refused to pass said resolution to a third reading.

Mr. Emery submitted the following resolution :

*Resolved*, That the Secretary of State obtain from the selectmen of the several towns in this State the amount paid-out by the said towns to the militia, an account of the militia of this State for five years next preceding the first day of November, A. D. 1843, and that he arrange the returns from the several towns by counties, and lay the same before the next Legislature.

And the question being put,

Shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

The following message from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:

—Council Chamber, June 24, 1843.”

“*To the Senate and House of Representatives :*

On referring to the Journal of the last session, I observe that the House of Representatives voted that the consideration of the resolution, making “an appropriation for the printing of the Report upon the Geological and Mineralogical Survey of the State” was postponed to the present session.

Presuming that this subject will receive your attention before the close of your present session, I have thought it advisable to transmit for your consideration some extracts made from a communication which was received last evening from the State Geologist. They will aid the Legislature in their action upon the subject. I have reason to believe that he will be at the Capitol the early part of the next week, and will then I trust, have prepared his final report upon the Geology and Mineralogy of the State, which I shall communicate to the Legislature as soon as it shall be received. The Geologist remarks that he hopes there will be no delay in the passage of the resolves as to the printing, for the maps and plates ought to be put into the hands of the engraver forthwith, in order that they should be ready for the report.

HENRY HUBBARD.”

The reading of the communication of the State Geologist was called for, which was read.

On motion of Mr. Crosby—

*Resolved*, That the message of His Excellency the Governor, with the accompanying communication of the State Geologist, be referred to a select committee of five.

*Ordered*, That Messrs. Crosby, Noble, Cate, Todd and Eastman of Jackson, be the committee.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, fixing upon a day on which the business of the present session may be brought to a close, with an amendment, in which they ask the concurrence of the House of Representatives.”

The House proceeded to the consideration of the foregoing resolution with the amendment which came down from the Hon. Senate.

On motion of Mr. Barker—

*Ordered*, That said resolution lie upon the table.

Mr. Durgin, from the committee on Military Affairs, to whom was referred sundry petitions for the removal of military officers, by leave, reported an address for the removal of certain military officers therein named.

On the question;

Shall said address be adopted?

It was decided in the affirmative.

So the address was adopted.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Smith of Grantham—

The House resumed the consideration of the bill entitled “An act to incorporate the Northern Railroad company,”

On motion of Mr. Hibbard—

*Ordered*, That said bill lie upon the table.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that all bills and resolutions in order for a third reading this afternoon at three o'clock, be in order for a third reading at the present time.

The House accordingly proceeded to the consideration of the bill entitled “An act in amendment of chapter 73 of the Revised Statutes.”

On motion of Mr. Sawyer—

*Resolved*, That the rules of the House be so far suspended that the bill be put upon its second reading for the purpose of amendment.

Mr. Crosby, proposed an amendment to said bill,

But before the question was taken,

Mr. Crosby withdrew said amendment.

On motion of Mr. Sawyer—

*Ordered*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

Said bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon a bill, entitled "An act in relation to the Judiciary,"

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill, entitled "An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes," which came down from the Hon. Senate.

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Walker submitted the following resolution:

*Resolved*, That when the House adjourn this forenoon, they adjourn to meet again on Monday next at three o'clock in the afternoon.

Mr. Hibbard moved to amend said resolution by striking out the words "three o'clock in the afternoon" and inserting instead thereof the words "eleven o'clock in the forenoon."

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

On motion of Mr. Hibbard—

The House resumed the consideration of the bill, entitled "An act to incorporate the Northern railroad company."

On motion of Mr. Hibbard—

*Ordered*, That it be recommitted to the committee on Roads, Bridges and Canals.

On motion—

The House adjourned.

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MONDAY, JUNE 26, 1843.

Mr. Foss presented the petition of J. D. Goodrich and others, praying for the passage of an act to incorporate the president, directors and company of the Mutual Safety Bank of Portsmouth.

*Ordered*, That said petition be referred to the committee on Banks.

Mr. Burnham, from the committee on Claims, to whom was referred the account of George W. Bagley, reported a resolution in favor of George W. Bagley,

Which was read a first time.

On motion of Mr. Boardman—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time..

Said resolution was then read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Taylor, from the committee on Claims, to whom was referred the accounts of Ira R. Philbrick and Josiah B. Wiggin, reported a resolution in favor of Josiah B. Wiggin and Ira R. Philbrick,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Arven, from the select committee consisting of the delegation from the county of Grafton, to whom was referred the statement of the treasurer of that county, relative to the expenses of supporting county paupers for the five years ending June 1st, 1843, made a report,

Whereupon—

*Resolved*, That said statement be filed in the office of the Secretary of State.

The Clerk of the House laid upon the Speaker's table statements from the county treasurers of the counties of Hillsborough and Carroll, relative to the expenses of supporting county paupers for the five years ending June 1st, 1843.

On motion of Mr. Whittemore—

*Ordered*, That they be deposited in the office of the Secretary of State.

On motion of Mr. Burnham—

The House resumed the consideration of the resolution, fixing upon a day in which the business of the present session may be brought to a close.

The question being upon concurring with the Hon. Senate in the adoption of their amendment to said resolution,

Mr. Parker proposed an amendment to said amendment, which was adopted.

On the question,

Will the House concur with the Senate in the adoption of said amendment as amended?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution as amended be adopted?

It was decided in the affirmative.

So the resolution was adopted.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Fifield—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending or explaining the 3d section of chapter 225 of the Revised Statutes, relative to the admissibility of witnesses in capital trials.

Agreeably to previous notice, and by leave, Mr. Hibbard introduced a bill, entitled "An act in amendment of the forty-fourth section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire,"

Which was read a first time.

On motion of Mr. Hibbard—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

*Ordered*, That it be referred to the committee on Banks.

On motion of Mr. Rowell—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon bills with the following titles, and the following resolutions, to wit :

"An act in amendment of chapter seventy-one of the Revised Statutes;"

"An act to annex James Ferren of Freedom to school district No. four in Eaton;"

"An act to alter the names of certain persons;"

"An act in favor of the Dover Artillery company;"

"An act in favor of the Artillery company in the twenty-eighth regiment;"

"An act in addition to and amendment of title twelve and chapter seventy-six of the Revised Statutes;"

"An act to annex Robert Hopkins of Windham to school district No. 5 in Derry;"

A resolution in favor of Benjamin Stephenson and John F. Holt; Which were read a third time.

*Resolved*, That they pass, and that the titles of the bills be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill, entitled "An act to provide for the care and safe keeping of the State arms distributed to the militia;"

Which was read a third time.

On motion of Mr. Fifield—

*Resolved*, That said bill be indefinitely postponed.

Mr. Crosby, from the select committee, to whom was referred the message of His Excellency the Governor, with the accompanying reports of the visitors, trustees and superintendent of the N. H. Asylum for the Insane, by leave, made a report,

Whereupon—

*Resolved*, That the Clerk be directed to procure five hundred printed copies of the reports for the use of the State.

Mr. Odlin, by leave, presented the petition of Thomas Brown and 199 others, praying for an amendment of section 8, chapter 117 of the Revised Statutes, relating to licenses.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Huntoon, from the select committee, consisting of the delegation from the county of Sullivan, to whom was referred the

statement of the treasurer of said county, relative to the expenses incurred by said county for pauper expenses for the five years, ending June 1st, 1348, by leave made a report,

Whereupon—

**Resolved**, That said statement be filed in the office of the Secretary of State.

Agreeably to previous notice and by leave, Mr. Rollins introduced a bill, entitled "An act in addition to the 49th chapter of the Revised Statutes,"

Which were read a first time.

On motion of Mr. Rollins—

**Resolved**, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion—

**Ordered**, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Taylor of Stoddard, from the committee on Claims, to whom was referred the accounts of George McDaniel and Ebenezer Glines, by leave, reported a resolution in favor of George McDaniel and Ebenezer Glines,

Which was read a first time.

On motion of Mr. Taylor of Stoddard—

**Resolved**, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

Said resolution was then read a second time.

On motion of Mr. Taylor of Stoddard—

**Resolved**, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

Said resolution was then read a third time.

**Resolved**, That it pass.

**Ordered**, That the Clerk request the concurrence of the Senate therein.

Mr. Clarke of Atkinson, by leave, presented the account and vouchers of the Adjutant General.

**Ordered**, That it be referred to the committee on Military Accounts.

On motion of Mr. Clark of Manchester—

**Resolved**, That the committee on the Judiciary be instructed to inquire into the expediency of so amending chapter 146 of the Revised Statutes, as to give to corporators the right of voting by proxy in certain cases.

On motion of Mr. Huntoon—

The House resumed the consideration of the bill, entitled "An act in relation to banks and banking."

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Emery—

*Resolved*, That the rules of the House be so far suspended that the bill be put upon its second reading for the purpose of amendment.

Mr. Emery offered an amendment to said bill, which was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Burnham—

The House resumed the consideration of the Message of His Excellency the Governor, transmitting sundry resolutions of the States of Georgia and Alabama, relative to the assumption of the State debts by the general government, and also the repudiation of State debts.

On motion of Mr. Burnham—

*Ordered*, That they be referred to the committee on the Judiciary.

Mr. Dodge, by leave, presented the petition of John Whipple and others, praying for an appropriation for a gun carriage and tumbrils.

*Ordered*, That it be referred to the committee on Military Affairs.

On motion of Mr. Drown—

The House resumed the consideration of the bill, entitled "An act in relation to banks and banking."

On motion of Mr. Drown—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

Said bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Goodwin, from the committee on Finance, to whom was referred the message of His Excellency the Governor, covering a letter from Dr. Jackson, relating to the cost of plates and maps illustrating the geology of this State, and to accompany the final report of the State Geologist, made a report,

Whereupon—

*Resolved*, That the message of His Excellency the Governor, with the accompanying communication of the State Geologist, be

referred to the select committee who have that subject under consideration.

Mr. Barker, by leave, presented the account of S. S. Dow.

*Ordered*, That it be referred to the committee on Claims.

On motion—

The House adjourned.

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TUESDAY, JUNE 27, 1843.

Mr. Drown, from the committee on Public Land, to whom was referred the report of George McDaniel, land agent for the counties of Grafton and Carroll; and the report of Ebenezer Glines, land agent for the county of Coos, relative to the public lands, made a report,

Whereupon—

*Resolved*, That it is inexpedient for this State to be at any expense for surveying public lands, and that said report be filed in the office of the Secretary of State.

Mr. Glover, from the committee on Military Affairs, to whom was referred the petition of the officers of the Dover artillery company, praying for a grant of two six pound pieces of brass ordnance, and for an appropriation for a gun house; also the bill, entitled "An act in favor of the Dover artillery company," made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Barker, from the committee on Military Affairs, to whom was recommitted the account of the Dover artillery company, reported the following resolution :

*Resolved*, That the further consideration of said account be indefinitely postponed.

On motion of Mr. Peirce of Dover—

*Ordered*, That the resolution lie upon the table.

Mr. Batchelder, from the committee on Military Affairs, to whom was referred the petition of Charles Gerrish and two others, praying to be severed from the 38th regiment of N. H. militia, and annexed to the 21st regiment, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Glover, from the committee on Military Accounts, to whom was referred the accounts of Andrew Lowd, made a further report,

Whereupon—

*Resolved*, That the further consideration of the account be indefinitely postponed.

Mr. Atwood, from the committee on Military Affairs, to whom was referred the resolution, instructing them to inquire into the expediency of so amending the law relative to unconditional exemptions from military duty, as to embrace all persons conscientiously scrupulous of bearing arms, reported the following resolution:

*Resolved*, That it is inexpedient to legislate upon the subject at this time.

On the question,

Shall the resolution be adopted?

Mr. Preston called for the ayes and noes.

Those who voted in the affirmative are Messrs.—

|                         |                          |
|-------------------------|--------------------------|
| Clarke of Atkinson      | Goss                     |
| Smith of Candia         | Eaton                    |
| Underhill               | Jewell                   |
| Brown of Chester        | Foss                     |
| Prescott                | Dinsmoor of Windham      |
| Meloon                  | McDaniell                |
| Dinsmore of Derry       | Boody                    |
| Taylor of Derry         | Willey                   |
| French of East Kingston | Demeritt                 |
| Brackett                | Stevens                  |
| Shannon                 | Smart                    |
| Nudd                    | Young                    |
| Thayer                  | Leighton                 |
| Nesmith                 | Sleeper of Alton         |
| Oliver                  | Roberts                  |
| Hoit of Newington       | Walker of Barnstead      |
| Towle of New Market     | Perkins of Centre Harbor |
| Leavitt                 | Ladd                     |
| Furber                  | Mallard                  |
| Butler                  | Tilton of Meredith       |
| Badger                  | Tilton of Sandbornton    |
| Brewster                | Brown of Sandbornton     |
| Emery                   | Cate                     |
| Gilman                  | Hanson                   |

|                        |                            |
|------------------------|----------------------------|
| Drake of Effingham     | Boardman                   |
| Thurston               | McKean                     |
| Smith of Ossipee       | Dodge of New Boston        |
| Cook                   | Atwood of Pelham           |
| Sawyer                 | Follansbee of Peterborough |
| Whitton                | Robbe                      |
| Avery                  | Nay                        |
| Rowell                 | Colby                      |
| Sceva of Andover       | Paige of Weare             |
| Chandler               | Chapman                    |
| Pearson                | Glover                     |
| Morgan of Bow          | Hamilton                   |
| Smith of Bradford      | Parker of Fitzwilliam      |
| Seavey of Chichester   | Webster                    |
| Hoyt of Dunbarton      | Giffin                     |
| Griffin                | Fisher                     |
| Daniell                | Howe of Rindge             |
| Howe of Henniker       | Taylor of Stoddard         |
| Ayer                   | Wilson of Sullivan         |
| Batchelder of Loudon   | Crehore                    |
| Peaslee                | Parker of Swanzev          |
| Clark of Northfield    | Barker                     |
| Knowlton of Pittsfield | Kingman                    |
| Page of Sutton         | Woodbury                   |
| Robertson              | Barton                     |
| Thompson               | Gunnison                   |
| Currier                | Smith of Grantham          |
| Fletcher               | Garfield                   |
| Shattuck               | Little                     |
| Wilkins                | Metcalf                    |
| Atwood of Francestown  | Morgan of Plainfield       |
| Poor of Goffstown      | Whittemore of Springfield  |
| Richards               | Huntoon                    |
| Peavey                 | Laws                       |
| Ware                   | Knowlton of Wendell        |
| Flint                  | Crawford                   |
| Merrill                | Hibbard                    |
| Manning                | Whitcher                   |
| Chase                  | Sargent                    |
| Smith of Mason         | Dearborn                   |
| Putnam                 | Arven                      |
| Kittredge              | Curtice                    |

|                       |                       |
|-----------------------|-----------------------|
| Cheever               | Durgin                |
| Garnsey               | Clough of Warren      |
| Follansbee of Grafton | Dana                  |
| Dow                   | Buzzell               |
| Crosby                | Stokes                |
| Eastman of Haverhill  | Morse                 |
| Hammond               | Ballou                |
| Forbes                | Eastman of Jackson    |
| Cox                   | Meserve of Jefferson  |
| Poor of Landaff       | Green                 |
| Kimball               | Perkins of Pittsburgh |
| Bowles                | Martin                |
| Fifield               | Ross                  |
| Whitney               | Burns                 |

Those who voted in the negative are Messrs.—

|                        |                      |
|------------------------|----------------------|
| Veazey                 | Taylor of Canterbury |
| Bradley                | Stewart              |
| Batchelder of Epping   | Patten               |
| Odlin                  | Hadley               |
| Towle of Hampton       | Morrill              |
| Cleaves                | Judkin               |
| Knowlton of Portsmouth | Bunton               |
| Wiggin                 | Baldwin              |
| Peirce of Dover        | Preston              |
| Jenness of Dover       | Smith of Temple      |
| Clark of Dover         | Barrett              |
| Varney                 | Marshall             |
| Downing                | Todd                 |
| Mathes                 | Felt                 |
| Plumer                 | Sturtevant           |
| Noble                  | Handerson of Keene   |
| French of Gilmanton    | Cummings             |
| Wight                  | White                |
| Sleeper of Gilford     | Phillips             |
| Fisk                   | Barber               |
| Blaisdell              | Bellows              |
| Lord                   | Hosmer               |
| Quimby                 | Tudor                |
| Beede                  | Pierce of Winchester |
| Haley                  | Challis              |

|                        |          |
|------------------------|----------|
| Freeman                | Liscomb  |
| Handerson of Claremont | Kilburn  |
| Wood                   | Skinner  |
| Bean                   | Bissell  |
| Burnham                | Lawrence |
| Holden                 | Bishop   |

The name of Mr. Oliver being called, he asked to be excused from voting.

And the question being put,

It was decided in the negative.

So the House refused to excuse Mr. Oliver from voting.

The name of Mr. Oliver being called he answered in the affirmative.

Ayes 160, Noes 61.

So the affirmative of the question prevailed,

And the resolution reported by the committee was adopted.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of Jeremiah C. Tilton, praying that he may be severed from the 38th regiment of N. H. militia, and annexed to the 29th regiment, reported a bill entitled "An act in favor of Jeremiah C. Tilton,"

Which was read a first time.

On motion of Mr. Durgin—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

Mr. Durgin moved that the rules of the House be so far suspended, that the bill be read a third time at the present time.

And the question being put,

Shall the rules be suspended and the bill be read a third time at the present time ?

It was decided in the negative.

So the House refused to suspend the rules and pass said bill to a third reading at the present time.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Garnsey, from the committee on Military Affairs, to whom was referred the petition of officers and members of the first artillery company in the first regiment of N. H. militia, praying for an appropriation for the purchase of harnesses and two tumbrils, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Robertson, from the committee on Claims, to whom was referred the accounts of Isaac L. Folsom and Samuel S. Dow, reported a resolution in favor of Isaac L. Folsom and Samuel S. Dow,

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Paige, from the committee on Claims, to whom was referred the account of Benaiah Cooke, reported a resolution in favor of Benaiah Cooke,

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Martin, from the committee on Education, to whom was referred the resolution instructing them to inquire into the expediency of making a further provision, by law for the common school instruction of apprentices and minors under the care of persons who may not be legally their masters, guardians or parents, made a report,

Whereupon—

*Resolved*, That it is inexpedient at this time to legislate upon the subject.

Mr. Clark of Northfield, from the committee on Education, to whom was referred the petition of Smith Sherman and others, praying for the severance of a tract of land from the town of Lyman, and the annexation of the same to the town of Lisbon for the purpose of schooling, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred the message of His Excellency the Governor, transmitting the report of the commissioners of the Literary Fund, made a report,

Whereupon—

*Resolved*, That the report of the commissioners of the Literary Fund be referred to the committee on Banks.

Mr. Smith of Bradford, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of so amending chapter 146 of the Revised Statutes, so as to give corporators the right of voting by proxy in certain cases, made a report,

Whereupon—

*Resolved*, That the committee on the Judiciary be discharged from the further consideration of said resolution, and that it be referred to a select committee of five.

*Ordered*, That Messrs. Clarke of Atkinson, Boardman, Colby, Chase and Garnsey be the committee.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in amendment of the thirty-ninth chapter of the Revised Statutes," reported said bill without amendment.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

Mr. Peirce of Dover, from the committee on the Judiciary, reported a bill, entitled "An act in amendment of chapter 113 of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Hibbard, from the committee on the Judiciary, to whom were referred the resolution, instructing them to inquire into the expediency of amending or explaining the third section of chapter 225 of the Revised Statutes, relative to the admissibility of witnesses in capital trials, reported a bill, entitled "An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in amendment of the one hundred and forty-ninth chapter of the Revised Statutes," reported a bill, entitled "An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Bachelder, from the committee on the Judiciary, to whom was referred the bill, entitled "An act to prevent small pox by vaccination," reported a bill, entitled "An act to prevent small pox by vaccination;"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Giffin, from the committee on Banks, to whom was referred the bill, entitled "An act in amendment of the 44th section of chapter 140 of the Revised Statutes of the State of New Hampshire," reported said bill without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Kimball, from the committee on Banks, to whom was referred the bill, entitled "An act relating to Banks and Banking," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Manning, from the committee on the State House and State House Yard, reported a joint resolution, appointing William Fisk, to take charge of the State House and State House Yard the ensuing year.

On the question,

Shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the bill, entitled "An act to unite the towns of Nashville and Nashua," and a bill, entitled "An act in amendment of an act to constitute the town of Nashville," reported the following resolution:

*Resolved*, That the further consideration of said bills be indefinitely postponed.

Mr. Tudor, from the minority of the committee on Towns and Parishes, to whom was referred the bill, entitled "An act to unite the towns of Nashville and Nashua," and the bill, entitled "An act in amendment of an act to constitute the town of Nashville," reported a bill, entitled "An act in amendment of an act entitled an act to constitute the town of Nashville, passed 23d June, 1842;"

Which was read.

On motion of Mr. Tudor—

*Resolved*, That said resolution and bill lie upon the table.

Mr. Thompson, from the committee on the State Prison, to whom was referred the reports of the warden, physician and chaplain of that institution, with instructions to inquire into the treatment and discipline of the convicts and the general management

of its affairs, also that portion of the message of His Excellency the Governor, relating to the State Prison, made a report,

Which was read.

On motion of Mr. Clarke of Atkinson—

*Resolved*, That said report lie upon the table and that the Clerk be directed to procure three hundred printed copies for the use of the House.

On motion of Mr. Metcalf—

*Resolved*, That the committee now investigating and appraising the property belonging to the State Prison; be instructed to investigate and make inquiries into all moneys appropriated and in any way received by the warden, and what disposition he has made of the same, and they are hereby authorized to send for persons and papers if necessary.

Mr. Crosby, by leave, presented the account of H. Hibbard.

*Ordered*, That it be referred to the committee on Claims.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of the following resolutions, to wit:

A resolution prescribing the places of holding elections in the classed towns of Bennington and Windsor;

A resolution in favor of George McDaniel and Ebenezer Glines.”

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of an address for the removal of certain officers therein named.

The Senate concur with the House in the adoption of their amendment to the amendment of the Senate to the resolution, fixing upon a day on which the business of the present session may be brought to a close.

The Senate concur with the House in the passage of the bill, entitled “An act providing for the return of inventories,” with amendments, in which they ask the concurrence of the House.”

The House proceeded to the consideration of the foregoing bill, with the amendment, which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of the foregoing amendments?

It was decided in the affirmative.

So the House concurred with the Hon. Senate in the adoption of said amendments.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Poor, from the committee on Engrossed Bills, by leave, reported that they had carefully examined and found correctly engrossed, a resolution in favor of George McDaniel and Ebenezer Glines,

Which was signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Handerson, by leave, presented the account of Joel Parker.

*Ordered*, That it be referred to the committee on Claims.

On motion—

The House adjourned.

## AFTERNOON.

The House proceeded in the order of the day upon the resolution in favor of George W. Bagley,

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the the Clerk request the concurrence of the Hon. Senate therein.

On motion of Mr. Hibbard—

*Resolved*, That the rules of the House be so far suspended, that all bills and resolutions in order for a second reading this forenoon at eleven o'clock, be in order for a second reading at the present time.

The House accordingly proceeded to the consideration of the following resolutions, to wit :

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow;

A resolution in favor of Benaiah Cook;

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Burnham—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending chapter 132 of the Revised Statutes, as to protect our citizens from imposition and loss in purchasing personal property, while the same is under mortgage, and report by bill or otherwise.

Mr. Sawyer submitted the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the selectmen of the several towns and places in this State, entitled to send a Representative to the State Legislature, be and the same are hereby required to insert an article in the warrant, calling the annual meeting of such town or place in the following words ; "Is it expedient for the Legislature of this State to divide this State into districts, for the election of members of Congress ?" and make return of the vote upon the aforesaid question, of such several towns or places to the next Legislature, on or before the Tuesday following the first Wednesday of June next;

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Barton—

The House resumed the consideration of the resolution, reported by the committee on Towns and Parishes, upon the bill, entitled "An act to unite the towns of Nashville and Nashua;" and the bill, entitled "An act in amendment of an act to constitute the town of Nashville;" also the bill reported by the minority of said committee, upon the foregoing bill, entitled "An act in amendment of an act entitled an act to constitute the town of Nashville, passed 23d June, 1842."

The question being upon the adoption of the resolution, reported by the majority of the committee upon towns and parishes, indefinitely postponing the whole subject matter of said bills,

And the question being put,

Shall the resolution pass ?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs —

Clarke of Atkinson  
Veazey  
Smith of Candia  
Underhill  
Bradley  
Prescott

Meloon  
Dinsmore of Derry  
French of East Kingston  
Batchelder of Epping  
Brackett  
Shannon

|                          |                         |
|--------------------------|-------------------------|
| Towle of Hampton         | Parrish                 |
| Nudd                     | Cate                    |
| Nesmith                  | Hanson                  |
| Oliver                   | Blaisdell               |
| Hoit of Newington        | Drake of Effingham      |
| Leavitt                  | Lord                    |
| Furber                   | Drake of Moultonborough |
| Butler                   | Thurston                |
| Badger                   | Smith of Ossipee        |
| Knowlton of Portsmouth   | Quimby                  |
| Brewster                 | Haley                   |
| Wiggin                   | Sawyer                  |
| Gilman                   | Whitton                 |
| Goss                     | Avery                   |
| Eaton                    | Rowell                  |
| Jewell                   | Morgan of Bow           |
| Foss                     | Smith of Bradford       |
| Boody                    | Taylor of Canterbury    |
| Peirce of Dover          | Seavey of Chichester    |
| Willey                   | Hoyt of Dunbarton       |
| Demeritt                 | Griffin                 |
| Wilson of Lee            | Daniell                 |
| Stevens                  | Howe of Henniker        |
| Varney                   | Ayer                    |
| Downing                  | Peaslee                 |
| Smart                    | Clark of Northfield     |
| Plumer                   | Knowlton of Pittsfield  |
| Noble                    | Gookin                  |
| Young                    | Page of Sutton          |
| Sleeper of Alton         | Robertson               |
| Roberts                  | Thompson                |
| Walker of Barnstead      | Currier                 |
| George                   | Fletcher                |
| Perkins of Centre Harbor | Pattee                  |
| French of Gilmanton      | Shattuck                |
| Ladd                     | Wilkins                 |
| Wight                    | Poor of Goffstown       |
| Mallard                  | Richards                |
| Sleeper of Gilford       | Peavey                  |
| Tilton of Meredith       | Ware                    |
| Fisk                     | Flint                   |
| Tilton of Sandbornton    | Hadley                  |
| Brown of Sandbornton     | Manning                 |

|                            |                      |
|----------------------------|----------------------|
| Morrill                    | Knowlton of Wendell  |
| Smith of Mason             | Crawford             |
| Kittredge                  | Hibbard              |
| Boardman                   | Whitcher             |
| McKean                     | Bean                 |
| Dodge of New Boston        | Sargeant             |
| Follansbee of Peterborough | Dearborn             |
| Robbe                      | Curtis               |
| Nay                        | Cheever              |
| Colby                      | Garnsey              |
| Paige of Weare             | Holden               |
| Chapman                    | Crosby               |
| Glover                     | Eastman of Haverhill |
| Hamilton                   | Hammond              |
| Parker of Fitzwilliam      | Forbes               |
| Webster                    | Cox                  |
| Sturtevant                 | Poor of Landaff      |
| Handerson of Keene         | Kimball              |
| Giffin                     | Bowles               |
| Fisher                     | Skinner              |
| Taylor of Stoddard         | Clough of Orange     |
| Wilson of Sullivan         | Jenness of Piermont  |
| Crehore                    | Fifield              |
| Barber                     | Whitney              |
| Parker of Swanzey          | Durgin               |
| Bellows                    | Clough of Warren     |
| Kingman                    | Dana                 |
| Pierce of Winchester       | Buzzell              |
| Woodbury                   | Stokes               |
| Handerson of Claremont     | Morse                |
| Wood                       | Drown                |
| Barton                     | Bishop               |
| Gunnison                   | Ballou               |
| Smith of Grantham          | Eastman of Jackson   |
| Garfield                   | Meserve of Jefferson |
| Beckwith                   | Perkins of Pittsburg |
| Little                     | Martin               |
| Whittemore of Springfield  | Ross                 |
| Huntoon                    | Burns                |
| Laws                       |                      |

. Those who voted in the negative are, Messrs.—

|                      |                     |
|----------------------|---------------------|
| Brown of Chester     | Clark of Manchester |
| Odlin                | Baldwin             |
| Conner               | Preston             |
| Thayer               | Barrett             |
| Towle of New Market  | Todd                |
| Cleaves              | White               |
| Dinsmoor of Windham  | Howe of Rindge      |
| Jenness of Dover     | Hosmer              |
| Clark of Dover       | Tudor               |
| Beede                | Challis             |
| Cooke                | Freeman             |
| Chandler             | Metcalf             |
| Pearson              | Bartlett            |
| Stewart              | Liscomb             |
| Atwood of Francetown | Kilburn             |
| Merrill              | Bissell             |
| Chase                |                     |

Ayes 177, Noes 33.

So the affirmative of the question prevailed,

And the whole subject matter of said bills was indefinitely postponed.

Mr. Flint, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, the following address and resolution, to wit :

An address in favor of the removal of certain officers therein named;

A resolution prescribing the places of holding elections in the classed towns of Bennington and Windsor;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Barker—

The House resumed the consideration of the resolution reported by the committee on Military Affairs, relative to the account of the Dover artillery company.

Said resolution was as follows :

*Resolved*, That the further consideration of said account be indefinitely postponed.

Mr. Peirce of Dover, proposed to amend said resolution, by striking out all of said resolution, and inserting the following substitute :

*Resolved by the Senate and House of Representatives in General Court convened,* That the Adjutant General be and hereby is authorized to **examine** and adjust the claims of the officers of the Dover artillery, for money by them paid for land for a gun house and the building thereon, and to allow such balance as he may find just and equitable, and that such sum so allowed by him be paid out of the treasury.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Said resolution was read a first time.

*Ordered,* That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Conner—

*Resolved,* That the rules of the House be so far suspended, that he be allowed at this time to introduce a bill.

Mr. Conner accordingly introduced a bill, entitled "An act in amendment of chapter 124 of the Revised Statutes,"

Which were read a first time.

On the question,

Shall said bill be read a second time?

It was decided in the negative.

So the House refused to pass said bill to a second reading.

Mr. Gunnison, from the committee on Agriculture and Manufactures, to whom was referred so much of the message of His Excellency the Governor as relates to the geological survey of the State, by leave, made a report,

Whereupon—

*Resolved,* That the further consideration of that portion of the message of His Excellency the Governor be referred to the select committee, who have that subject under consideration.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles and the following resolutions, to wit:

A resolution in favor of S. D. Bell and Charles J. Fox;

A resolution appointing William Fisk, to take charge of the State House and State House Yard, the ensuing year;

"An act in favor of the Artillery company in the 3d regiment;"

"An act in addition to and amendment of title twelve and chap-

ter seventy-six of the Revised Statutes," with an amendment, in which they ask the concurrence of the House;

"An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," with an amendment, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill, entitled "An act in addition to and amendment of title twelve and chapter seventy-six of the Revised Statutes," with the amendment, which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of said amendment?

It was decided in the affirmative.

So the House concurred with the Hon. Senate in the adoption of said amendment.

The House proceeded to the consideration of the foregoing bill, entitled "An act in addition to and amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," with the amendments, which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of said amendments?

On motion of Mr. Peirce of Dover—

*Ordered*, That the bill and amendments be referred to the committee on the Judiciary.

Mr. Daniell, by leave, presented the account of John F. Brown.

*Ordered*, That it be referred to the committee on Claims.

On motion of Mr. Crosby—

The House resumed the consideration of the bill entitled "An act in amendment of chapter two hundred and twenty eight of the Revised Statutes of the State of New Hampshire."

The question being upon the adoption of the resolution, reported by the select committee, indefinitely postponing the further consideration of said bill;

And the question being put,

Shall the resolution be adopted?

The yeas and nays were called for.

Those who voted in the affirmative are Messrs.—

Dinsmore of Derry

Cleaves

Hoit of Newington

Demeritt

|                         |                           |
|-------------------------|---------------------------|
| Smart                   | Parker of Swansey         |
| Plumer                  | Barker                    |
| Noble                   | Garfield                  |
| Wight                   | Little                    |
| Mallard                 | Whittemore of Springfield |
| Tilton of Meredith      | Huntoon                   |
| Parrish                 | Hibbard                   |
| Cate                    | Cheever                   |
| Hanson                  | Garnsey                   |
| Drake of Moultonborough | Follansbee of Grafton     |
| Smith of Ossipee        | Holden                    |
| Quimby                  | Dow                       |
| Avery                   | Crosby                    |
| Griffin                 | Hammond                   |
| Gookin                  | Forbes                    |
| Currier                 | Poor of Landaff           |
| Poor of Goffstown       | Skinner                   |
| Hadley                  | Clough of Orange          |
| Manning                 | Durgin                    |
| Chase                   | Stokes                    |
| Smith of Mason          | Bishop                    |
| McKean                  | Eastman of Jackson        |
| Paige of Weare          | Perkins of Pittsburgh     |
| Glover                  | Martin                    |
| Handerson of Keene      | Ross                      |
| Giffin                  | Burns                     |
| Wilson of Sullivan      |                           |

Those who voted in the negative are Messrs. —

|                         |                        |
|-------------------------|------------------------|
| Clarke of Atkinson      | Conner                 |
| Veazey                  | Brackett               |
| Smith of Candia         | Shannon                |
| Underhill               | Towle of Hampton       |
| Brown of Chester        | Nudd                   |
| Bradley                 | Nesmith                |
| Prescott                | Oliver                 |
| Meloon                  | Towle of New Market    |
| Taylor of Derry         | Furber                 |
| French of East Kingston | Butler                 |
| Batchelder of Epping    | Badger                 |
| Odlin                   | Knowlton of Portsmouth |

|                       |                            |
|-----------------------|----------------------------|
| Emery                 | Wilkins                    |
| Brewster              | Atwood of Francestown      |
| Wiggin                | Richards                   |
| Gilman                | Peavey                     |
| Goss                  | Ware                       |
| Eaton                 | Merrill                    |
| Jewell                | Clark of Manchester        |
| Foss                  | Morrill                    |
| McDaniell             | Bunton                     |
| Boody                 | Dodge of New Boston        |
| Peirce of Dover       | Preston                    |
| Jenness of Dover      | Follansbee of Peterborough |
| Willey                | Barrett                    |
| Wilson of Lee         | Chapman                    |
| Varney                | Hamilton                   |
| Downing               | Parker of Fitzwilliam      |
| Young                 | Webster                    |
| Leighton              | Felt                       |
| Roberts               | Sturtevant                 |
| Walker of Barnstead   | White                      |
| Sleeper of Gilford    | Fisher                     |
| Tilton of Sandbornton | Crehore                    |
| Brown of Sandbornton  | Hosmer                     |
| Blaisdell             | Tudor                      |
| Drake of Effingham    | Pierce of Winchester       |
| Beede                 | Woodbury                   |
| Cook                  | Freeman                    |
| Sawyer                | Wood                       |
| Chandler              | Barton                     |
| Pearson               | Smith of Grantham          |
| Morgan of Bow         | Beckwith                   |
| Seavey of Chichester  | Metcalf                    |
| Hoyt of Dunbarton     | Laws                       |
| Daniell               | Knowlton of Wendell        |
| Howe of Henniker      | Crawford                   |
| Ayer                  | Whitcher                   |
| Batchelder of Loudon  | Bean                       |
| Peaslee               | Sargeant                   |
| Clark of Northfield   | Bartlett                   |
| Page of Sutton        | Dearborn                   |
| Stewart               | Burnham                    |
| Fletcher              | Eastman of Haverhill       |

Cox  
 Liscomb  
 Kimball  
 Bowles  
 Kilburn  
 Bissell  
 Jenness of Piermont

Fifield  
 Clough of Warren  
 Dana  
 Buzzell  
 Drown  
 Ballou

Ayes 58, Noes 121.

So the negative of the question prevailed,  
 And the House refused to adopt the resolution, indefinitely postponing the further consideration of said bill.

Mr. Clarke of Atkinson proposed an amendment to said bill.

Mr. Hibbard moved that the subject matter of said bill be referred to the delegations from the several counties.

And the question being put,

It was decided in the negative.

So the House refused to refer the subject matter of said bill to the delegations from the several counties.

Mr. Huntoon moved that the subject matter of said bill be referred to the committee on the Judiciary,

And the question being put,

It was decided in the negative.

So the House refused thus to refer the subject matter of said bill to the committee on the Judiciary.

The question now recurring upon the adoption of the amendment proposed by Mr. Clarke of Atkinson,

And the question being put,

It was decided in the negative.

So the amendment was rejected.

Mr. Smith of Bradford moved that the further consideration of the bill be postponed to the next session of the Legislature.

And the question being put,

It was decided in the negative.

So the House refused to postpone to the next session of the Legislature the further consideration of said bill.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

On motion—

The House adjourned.

## WEDNESDAY, JUNE 28, 1843.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that the reading of the Journal of yesterday be dispensed with.

Mr. Hanson presented the petition of Thomas F. Odell, praying for the alteration of his name;

*Ordered*, That it be referred to the committee on the Alteration of Names.

Mr. Colby, from the committee on Incorporations, to whom was referred the bill, entitled "An act to incorporate the proprietors of the meeting house of the first Congregational society in Concord," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Laws, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor, transmitting sundry resolutions of the Commonwealth of Massachusetts, concerning an amendment of the Constitution, the petition of Isaac Sanderson and others, and the petition of the Liberty convention of Rockingham county, praying for the passage of a law to protect the rights of persons claimed as fugitives from justice, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Handerson, from the committee on the Judiciary, to whom was referred the petition of N. P. Fogg and others, E. G. Dalton and thirty-one others, Eri Perkins and 37 others, Amasa Copp and others, Thomas Brown and 199 others, Elijah Shaw and others, J. S. Coleman and 70 others, Charles Dennett and others, Amos Chase and 29 others, Benning M. Bean and others, E. F. Stevens, Jr. and 24 others, John Hayes and 39 others, all praying for an amendment of chapter 117, section 8, of the Revised Statutes, relating to licenses; also, the resolution instructing the committee on the Judiciary to inquire into the expediency of reporting a bill, so to alter and amend the license laws, as that ardent spirits shall be kept on sale only by apothecaries to be vended solely as a medicine, and for use in the arts, reported the following resolution:

*Resolved*, That it is not expedient at the present time to legislate upon the subject.

Mr. Peirce of Dover, moved that the resolution lie upon the

table, and be made the special order of the day for four o'clock this afternoon.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that he be allowed at this time to introduce a bill.

Mr. Peirce of Dover accordingly introduced a bill, entitled "An act in amendment of chapter 117 of the Revised Statutes."

On motion of Mr. Peirce of Dover—

*Resolved*, That the bill lie upon the table and be made the special order of the day for four o'clock this afternoon.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor, transmitting the resolutions of the States of Maine and Massachusetts, relative to the imprisonment of citizens of those States in other States, also the petition of James Boyce and others, praying for the adoption of resolutions, protecting the rights of all who seek the protection of the State of New Hampshire, reported sundry resolutions in relation to the imprisonment of citizens of this State in other States,

Which were read a first time.

*Ordered*, That they be read a second time this forenoon at eleven o'clock.

Mr. Clarke of Atkinson, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor transmitting sundry resolutions of the Legislature of the State of Kentucky, in relation to amendments of the Constitution of the United States, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor, transmitting sundry resolutions, passed by the Legislatures of the States of Alabama and Georgia, relative to the assumption of the State debts by the general government, and the repudiation of State debts, reported the following resolutions:

*Resolved by the Senate and House of Representatives in General Court convened*, That we are opposed to the assumption of the State debts by the general government in any form, directly or indirectly, and that we should regard such a measure as a manifest violation of the constitution of the union and of the sovereignty of the State.

*Resolved*, That we disapprove of the doctrine of repudiation of the debts of the States; and that in our opinion governments are

under the same moral obligation with individuals to discharge their pecuniary liabilities.

*Resolved*, That we hereby instruct our Senators and request our Representatives in Congress to use all practicable exertions to prevent the passage of any act which shall contemplate either directly or indirectly the assumption of the State debts.

*Resolved*, That the Secretary of State be directed to forward copies of these resolutions to the Governors of the several States of the Union, and to each of our Senators and Representatives in Congress.

On the question,

Shall the resolutions be adopted?

It was decided in the affirmative.

So the resolutions were adopted.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the bill entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," with the amendments which came down from the Hon. Senate, made a report,

Whereupon—

*Resolved*, That the House non-concur with the Senate in the adoption of said amendments, and ask a committee of conference with the Senate thereon.

*Ordered*, That Messrs. Hibbard, Peirce of Dover and Clark of Manchester be the committee on the part of the House.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of reporting a bill in amendment of chapter 214 of the Revised Statutes providing for the abolition of capital punishment, made a report,

Whereupon—

*Resolved*, That the further consideration of said resolution be postponed to the next session of the Legislature.

Mr. Clarke of Atkinson, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of amending chapter 55 of the Revised Statutes, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Peasley, from the committee on Incorporations, to whom was referred the bill entitled "An act to incorporate the trustees

of the Freewill Baptist Book Concern," reported the following resolution :

*Resolved*, That the further consideration of said bill be indefinitely postponed.

On the question,

Shall the resolution be adopted?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.—

|                         |                            |
|-------------------------|----------------------------|
| Clarke of Atkinson      | Rowell                     |
| Smith of Candia         | Morgan of Bow              |
| Prescott                | Smith of Bradford          |
| Dinsmore of Derry       | Hoyt of Dunbarton          |
| French of East Kingston | Howe of Henniker           |
| Batchelder of Epping    | Peaslee                    |
| Brackett                | Clark of Northfield        |
| Shannon                 | Gookin                     |
| Nudd                    | Page of Sutton             |
| Nesmith                 | Robertson                  |
| Oliver                  | Thompson                   |
| Hoit of Newington       | Currier                    |
| Furber                  | Fletcher                   |
| Badger                  | Shattuck                   |
| Emery                   | Wilkins                    |
| Goss                    | Poor of Goffstown          |
| Jewell                  | Richards                   |
| Foss                    | Peavey                     |
| Willey                  | Ware                       |
| Demeritt                | Flint                      |
| Meserve of Madbury      | Hadley                     |
| Stevens                 | Manning                    |
| Noble                   | Smith of Mason             |
| Ladd                    | Kittredge                  |
| Tilton of Sandbornton   | McKean                     |
| Brown of Sandbornton    | Dodge of New Boston        |
| Drake of Effingham      | Atwood of Pelham           |
| Lord                    | Follansbee of Peterborough |
| Thurston                | Robbe                      |
| Haley                   | Nay                        |
| Whitton                 | Smith of Temple            |
| Avery                   | Colby                      |

|                           |                       |
|---------------------------|-----------------------|
| Paige of Weare            | Crawford              |
| Chapman                   | Hibbard               |
| Glover                    | Whitcher              |
| Marshall                  | Sargeant              |
| Webster                   | Cheever               |
| Giffin                    | Follansbee of Grafton |
| Fisher                    | Crosby                |
| Taylor of Stoddard        | Eastman of Haverhill  |
| Barber                    | Forbes                |
| Parker of Swanzey         | Clough of Orange      |
| Barker                    | Fifield               |
| Barton                    | Whitney               |
| Gunnison                  | Clough of Warren      |
| Smith of Grantham         | Dana                  |
| Beckwith                  | Stokes                |
| Little                    | Lawrence              |
| Metcalf                   | Ballou                |
| Morgan of Plainfield      | Perkins of Pittsburg  |
| Whittemore of Springfield | Martin                |
| Huntoon                   | Ross                  |
| Laws                      | Burns                 |
| Knowlton of Wendell       |                       |

Those who voted in the negative are, Messrs.—

|                        |                     |
|------------------------|---------------------|
| Veazey                 | McDaniel            |
| Underhill              | Boody               |
| Brown of Chester       | Peirce of Dover     |
| Bradley                | Jeness of Dover     |
| Meloon                 | Clark of Dover      |
| Taylor of Derry        | Wilson of Lee       |
| Odlin                  | Varney              |
| Towle of Hampton       | Downing             |
| Thayer                 | Mathes              |
| Towle of New Market    | Smart               |
| Butler                 | Plumer              |
| Cleaves                | Rollins             |
| Knowlton of Portsmouth | Young               |
| Brewster               | Laighton            |
| Wiggin                 | Sleeper of Alton    |
| Gilman                 | Roberts             |
| Eaton                  | Walker of Barnstead |

|                          |                        |
|--------------------------|------------------------|
| Perkins of Centre Harbor | Handerson of Keene     |
| French of Gilmanton      | White                  |
| Wight                    | Howe of Rindge         |
| Mallard                  | Phillips               |
| Sleeper of Gilford       | Wilson of Sullivan     |
| Tilton of Meredith       | Crehore                |
| Fisk                     | Bellows                |
| Parrish                  | Hosmer                 |
| Cate                     | Tudor                  |
| Hanson                   | Kingman                |
| Blaisdell                | Pierce of Winchester   |
| Quimby                   | Challis                |
| Beede                    | Freeman                |
| Cooke                    | Handerson of Claremont |
| Sawyer                   | Wood                   |
| Chandler                 | Garfield               |
| Taylor of Canterbury     | Bean                   |
| Seavey of Chichester     | Bartlett               |
| Griffin                  | Dearborn               |
| Batchelder of Loudon     | Burnham                |
| Knowlton of Pittsfield   | Garnsey                |
| Stewart                  | Hammond                |
| Pattee                   | Cox                    |
| Atwood of Francestown    | Liscomb                |
| Chase                    | Kimball                |
| Clark of Manchester      | Bowles                 |
| Morrill                  | Kilburn                |
| Bunton                   | Skinner                |
| Baldwin                  | Jenness of Piermont    |
| Boardman                 | Buzzell                |
| Preston                  | Morse                  |
| Barrett                  | Drown                  |
| Hamilton                 | Bishop                 |
| Parker of Fitzwilliam    | Eastman of Jackson     |
| Felt                     | Meserve of Jefferson   |
| Sturtevant               | Green                  |

Ayes 107, Noes 106.

So the affirmative of the question prevailed,  
And the resolution was adopted.

Mr. Wight, from the committee on Bills on their Second Reading, to whom was referred the bill entitled "An act amend-

ment to the hundredth chapter of the Revised Statutes relating to the inspection of mess beef," reported a bill entitled "An act in amendment of the first section of the one hundredth chapter of the Revised Statutes,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Durgin, from the committee on Military Affairs, reported a bill entitled "An act making appropriations for the militia of this State for the year 1843,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Garnsey, from the committee on Military Affairs, to whom was referred the petition of the officers and soldiers of the second company of Infantry in the 17th regiment of N. H. militia, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Glover, from the committee on Military Affairs, to whom was referred the petition of the field officers of the 21st regiment of N. H. militia, praying for a six pound piece of brass ordnance for the Boscawen Artillery company, reported a resolution making an appropriation for the purchase of a six pound piece of brass ordnance for the Boscawen Artillery company,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Batchelder, from the committee on Military Affairs, to whom was referred the petition of John Whipple and others, praying for an appropriation for a gun carriage and tumbrils for the Artillery company in the ninth regiment of N. H. militia, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature.

Mr. Taylor, from the committee on Claims, to whom was referred the account of Josiah Stevens, Jr., reported that they have carefully examined the same and the accompanying vouchers, and find said account to be correctly cast and duly vouched.

On motion—

*Ordered*, That it be filed in the office of the Secretary of State.

Mr. Emery, from the committee on Roads, Bridges and Canals, to whom was recommitted the bill, entitled "An act to incorporate the Northern railroad company," reported said bill with two several amendments,

Which were severally adopted.

Mr. Foss offered an amendment to said bill,

Which was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act in addition to the 49th chapter of the Revised Statutes," reported said bill with an amendment,

Which was by adding a new section.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Foss, from the committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act to incorporate the Piscataquog railroad company," reported said bill with sundry amendments,

Which were severally adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Emery, from the committee on Roads, Bridges, and Canals, to whom was referred the bill, entitled "An act to incorporate the proprietors of the Nashville and East Wilton railroad," reported said bill with sundry amendments,

Which were severally adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Holden, from the committee on Towns and Parishes, to whom was referred the petition of Lemuel Potter and others, praying that lots of land numbered 128 and 129 in the town of Eaton, may be severed from said town and annexed to the town of Conway, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature, and that the petitioners cause a notice of the pendency of said petition to

be served on the selectmen of the towns of Eaton and Conway, at least thirty days prior to the first Wednesday of June next.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred two petitions of inhabitants of the town of Columbia, praying for a division of said town; also the petition of A. Boynton and others, remonstrating against granting the prayer of said petition, made a report,

Whereupon—

*Resolved*, That the further consideration of said petitions be indefinitely postponed.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the petition of Lowell Eastman and others, praying that a part of the town of Deerfield may be severed from said town and annexed to the town of Epsom; the petition of Jonathan Steele and others, and the petition of Ira St. Clair and others, remonstrating against granting the prayer of the petition of Lowell Eastman and others, made a report,

Whereupon—

*Resolved*, That the further consideration of said petitions be indefinitely postponed.

Mr. Barton, from the committee on Towns and Parishes, to whom was referred the petition of Ethan A. Crawford and two others, praying that lots of land numbered 1 in the 4th range, and No. 1 in the 5th range of lots in the town of Carroll, be severed from said town and annexed to the place called Nash and Sawyer's Location, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Griffin, from the committee on Banks, to whom was referred the report of the commissioners of the literary fund, report, that they find that the charter of the Strafford Bank will expire July 4, 1843, and that the charters of the Exeter and Grafton Banks will expire in 1844, and that neither of said banks have paid for the present year into the treasury of this State one half of one per cent. of their capital stock, as by law required.

On motion of Mr. Clarke of Atkinson—

*Ordered*, That said report lie upon the table.

Mr. Huntoon, from the committee on Banks, to whom was referred the message of His Excellency the Governor, transmitting the report of the bank commissioners, also the returns of the cashiers of the several banks in this State, made on the first Monday of June, 1843, reported an abstract of the condition of the several banks in this State, the N. H. Union, and Farmer's bank

not being included in said abstract, those banks having ceased to act as banking institutions except for the purposes of winding up their affairs.

On motion of Mr. Hibbard—

*Ordered*, That said abstract lie upon the table, and that the Clerk be directed to procure four hundred printed copies of said abstract, together with the report of the committee on banks, relating to the literary fund, for the use of the House.

Mr. Huntoon, from the committee on Banks, to whom was referred the petition of S. D. Goodrich and others, praying for the grant of a charter for a mutual safety bank at Portsmouth, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Rowell, from the committee on Finance, to whom was referred the estimate of the State treasurer, in relation to the probable receipts and expenditures at the treasury for the ensuing year, reported a resolution authorizing the treasurer to borrow money on the credit and for the use of the State,

Which was read a first time.

On motion of Mr. Rowell—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

Said resolution was then read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

“An act in favor of the Dover artillery company;”

“An act in favor of the cavalry company in the 28th regiment;”

“An act in relation to banks and banking.”

The Senate have rejected the bill, entitled “An act in amendment of chapter 73 of the Revised Statutes.”

Mr. Handerson, by leave, presented the petition of Josiah Richards and others, praying for a bounty upon the growth of silk.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Mr. Sturtevant, by leave, presented the account of George W. Ela.

*Ordered*, That be referred to the committee on Printer's Accounts.

On motion—

The House adjourned.

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### AFTERNOON.

The House proceeded to the order of the day upon the bill, entitled "An act in amendment of chapter two hundred and twenty-eight of the Revised Statutes of New Hampshire."

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill be put upon its second reading for the purpose of amendment.

Mr. Peirce of Dover proposed an amendment to said bill, which was adopted.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

Said bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon bills with the following titles, and the following resolutions, to wit :

"An act in amendment of the thirty-ninth chapter of the Revised Statutes;"

"An act in amendment of the forty-fourth section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;"

"An act in favor of Jeremiah C. Tilton;"

A resolution in favor of Benaiah Cook;

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick;

A resolution in favor of Jeremiah C. Tilton;

Which were severally read a third time.

*Resolved*, That they pass, and that the titles of the bills be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution in favor of Isaac L. Folsom and Samuel S. Dow.

On motion of Mr. Taylor of Stoddard—

*Resolved*, That the rules of the House be so far suspended that the resolution be put upon its second reading for the purpose of amendment.

On motion of Mr. Taylor of Stoddard—

*Ordered*, That said resolution be recommitted to the committee on Claims.

Mr. Drown, from the committee, to whom was recommitted the petition of Joseph M. Givin and Lucinda C. Givin, praying for a grant of land upon which a gun house formerly stood, in the town of Hanover, by leave, reported a resolution in favor of Lucinda C. Givin,

Which was read a first time.

On motion of Mr. Drown—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

Said resolution was then read a second time.

Mr. McDaniel moved that the further consideration of said resolution be postponed to the next session of the legislature,

And the question being put,

It was decided in the negative.

So the House refused to postpone said resolution to the next session of the legislature.

On motion of Mr. Drown—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

Said resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Poor, from the committee on Engrossed Bills, reported that they have carefully examined and found correctly engrossed, a bill with the following title and the following resolutions, to wit:

“An act providing for the return of inventories;”

A resolution in favor of Samuel D. Bell and Charles J. Fox;

A resolution appointing William Fisk keeper of the State House and State House Yard;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Burns, from the committee on Military Affairs, to whom were referred the returns of the Adjutant and Commissary General, by leave, made a report,

Whereupon—

*Resolved*, That said returns be filed in the office of the Adjutant General.

On motion of Mr. Wight—

*Resolved*, That the rules of the House be so far suspended, that he be allowed at this time to introduce a bill.

Mr. Wight accordingly introduced a bill, entitled "An act in addition to chapter nine of the Revised Statutes of New Hampshire."

Which was read a first time.

On motion of Mr. Wight—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

On motion of Mr. Wight—

*Resolved*, That the bill be referred to a select committee consisting of one from each county.

*Ordered*, That Messrs. Batchelder of Epping, Demeritt, Wight, Avery, Sceva, Poor of Goffstown, Parker of Fitzwilliam, Laws, Arven and Martin be the committee.

On motion of Mr. Colby—

*Resolved*, That the rules of the House be so far suspended that all bills and resolutions in order for a second reading this forenoon at eleven o'clock, be in order for a second reading at the present time.

The House accordingly proceeded to the order of the day upon bills with the following titles, and the following resolutions, to wit:

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire;"

"An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

"An act to prevent small pox by vaccination;"

A resolution authorizing and directing the Adjutant General to adjust the claim of the officers of the Dover Artillery company;

Sundry resolutions relating to the imprisonment of citizens of this State in other States;

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the resolution directing the selectmen of towns and places in this State to insert an article in the warrant for the next annual meeting, with a view to take the sense of the people of the State upon the subject of dividing the State into Congressional districts.

Said resolution was read a second time.

Mr. Hibbard moved that the further consideration of the resolution be indefinitely postponed,  
And the question being put,  
The ayes and noes were called for.

Those who voted in the affirmative are Messrs.—

|                          |                            |
|--------------------------|----------------------------|
| Clarke of Atkinson       | Rowell                     |
| Smith of Candia          | Sceva of Andover           |
| Prescott                 | Morgan of Bow              |
| Meloon                   | Smith of Bradford          |
| Dinsmore of Derry        | Hoyt of Dunbarton          |
| Batchelder of Epping     | Howe of Henniker           |
| Shannon                  | Peaslee                    |
| Nesmith                  | Clark of Northfield        |
| Oliver                   | Knowlton of Pittsfield     |
| Hoit of Newington        | Page of Sutton             |
| Furber                   | Robertson                  |
| Butler                   | Thompson                   |
| Badger                   | Currier                    |
| Goss                     | Fletcher                   |
| Jewell                   | Shattuck                   |
| Foss                     | Wilkins                    |
| Willey                   | Poor of Goffstown          |
| Demeritt                 | Richards                   |
| Wilson of Lee            | Peavey                     |
| Stevens                  | Ware                       |
| Young                    | Flint                      |
| Walker of Barnstead      | Merrill                    |
| George                   | Hadley                     |
| Perkins of Centre Harbor | Manning                    |
| Tilton of Meredith       | Smith of Mason             |
| Tilton of Sandbornton    | Dodge of New Boston        |
| Brown of Sandbornton     | Atwood of Pelham           |
| Cate                     | Follansbee of Peterborough |
| Drake of Effingham       | Nay                        |
| Lord                     | Colby                      |
| Drake of Moultonborough  | Paige of Weare             |
| Thurston                 | Chapman                    |
| Whitton                  | Giffin                     |
| Avery                    | Fisher                     |

|                       |                       |
|-----------------------|-----------------------|
| Taylor of Stoddard    | Eastman of Haverhill  |
| Barber                | Hammond               |
| Parker of Swanzev     | Forbes                |
| Woodbury              | Poor of Landaff       |
| Gunnison              | Bowles                |
| Smith of Grantham     | Fifield               |
| Beckwith              | Whitney               |
| Little                | Clough of Warren      |
| Huntoon               | Dana                  |
| Laws                  | Buzzell               |
| Knowlton of Wendell   | Lawrence              |
| Crawford              | Drown                 |
| Hibbard               | Bishop                |
| Whitcher              | Ballou                |
| Sargeant              | Eastman of Jackson    |
| Arven                 | Meserve of Jefferson  |
| Curtice               | Green                 |
| Burnham               | Perkins of Pittsburgh |
| Garnsey               | Martin                |
| Follansbee of Grafton | Ross                  |
| Holden                | Burns                 |
| Dow                   |                       |

Those who voted in the negative are Messrs.—

|                         |                  |
|-------------------------|------------------|
| Veazey                  | Wiggin           |
| Underhill               | Gilman           |
| Brown of Chester        | Eaton            |
| Bradley                 | McDaniell        |
| Taylor of Derry         | Boody            |
| French of East Kingston | Peirce of Dover  |
| Odlin                   | Jenness of Dover |
| Conner                  | Clark of Dover   |
| Towle of Hampton        | Varney           |
| Nudd                    | Downing          |
| Thayer                  | Smart            |
| Towle of New Market     | Plumer           |
| Cleaves                 | Rollins          |
| Goodwin                 | Noble            |
| Knowlton of Portsmouth  | Leighton         |
| Brewster                | Sleeper of Alton |
| Emery                   | Roberts          |

|                       |                       |
|-----------------------|-----------------------|
| French of Gilmanton   | Glover                |
| Ladd                  | Hamilton              |
| Wight                 | Marshall              |
| Mallard               | Parker of Fitzwilliam |
| Sleeper of Gilford    | Webster               |
| Parrish               | Todd                  |
| Hanson                | Felt                  |
| Blaisdell             | Sturtevant            |
| Quimby                | Handerson of Keene    |
| Beede                 | Phillips              |
| Cook                  | Wilson of Sullivan    |
| Haley                 | Crehore               |
| Sawyer                | Bellows               |
| Chandler              | Hosmer                |
| Pearson               | Tudor                 |
| Griffin               | Barker                |
| Daniell               | Kingman               |
| Batchelder of Loudon  | Pierce of Winchester  |
| Stewart               | Challis               |
| Pattee                | Wood                  |
| Atwood of Francestown | Garfield              |
| Chase                 | Metcalf               |
| Clark of Manchester   | Bean                  |
| Morrill               | Bartlett              |
| Bunton                | Dearborn              |
| Kittredge             | Cox                   |
| Baldwin               | Kimball               |
| Boardman              | Kilburn               |
| McKean                | Skinner               |
| Preston               | Jenness of Piermont   |
| Smith of Temple       | Stokes                |
| Barrett               |                       |

On motion of Mr. Hibbard—

*Resolved*, That the rules of the House be so far suspended that all those who have not voted be allowed to vote at the present time.

The names of Messrs. Taylor of Canterbury, Gookin, Putnam, Robbe, Barton and Whittemore of Springfield being called they answered in the affirmative.

The names of Messrs. Fisk, White, Howe of Rindge and Durgin being called answered in the negative.

Ayes 109, Noes 101.

So the affirmative of the question prevailed,

And the further consideration of the resolution was indefinitely postponed.

Mr. Flint, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, bills with the following titles and the following resolutions, reported as correctly engrossed by the committee on Engrossed Bills:

"An act in relation to Banks and Banking;"

"An act relating to the return of inventories;"

"An act in favor of the Dover Artillery company;"

"An act in favor of the Artillery company in the twenty-eighth regiment;"

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Parker of Fitzwilliam—

The House resumed the consideration of the bill, entitled "An act for the further encouragement of education."

Mr. Parker of Fitzwilliam offered two several amendments to said bill,

Which were severally adopted.

Mr. Metcalf offered an amendment to said bill.

Mr. Parker of Fitzwilliam offered an amendment to the amendment, which was adopted.

The question recurring upon the adoption of the amendment,

And the question being put,

It was decided in the negative.

So the amendment was rejected.

It was moved that the bill lie upon the table.

And the question being put,

It was decided in the negative.

So the House refused to lay said bill upon the table.

Mr. Challis proposed an amendment to said bill,

Which was rejected.

Mr. Meserve of Jefferson, moved that the further consideration of the bill be indefinitely postponed,

And the question being put,

It was decided in the negative.

So the House refused indefinitely to postpone the further consideration of said bill.

Mr. Sturtevant proposed an amendment to said bill,

Which was rejected.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

A message from the Senate by their Clerk :

“ Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution in favor of Benjamin Stephenson and John F. Holt.

The Senate also concur with the House in the passage of a preamble and resolutions in relation to the military academy at West Point.”

Mr. Burnham, from the committee on Military Accounts, to whom was referred the accounts and vouchers of Charles H. Peaslee, Adjutant General, report, that they have carefully examined every part of said account, together with the vouchers of each and every item of the same, and they find the same correctly cast and well vouched, and that there is a balance due the said Charles H. Peaslee, of ninety dollars and ninety-five and three quarters cents, to be allowed him in his next account. There are also outstanding claims against the department, of annual allowance to Adjutants, for returns of 1843, the sum of twenty-dollars, and the sum of twenty-eight dollars for the annual allowance to artillery companies for 1842, making the sum of one hundred and thirty-eight dollars and ninety-five and three quarters cents, due in the whole, when paid to the Adjutant General's department;

Which report was accepted.

Mr. Batchelder of Epping, moved that the rules of the House be so far suspended, that he be allowed at this time to introduce a bill.

Mr. Batchelder of Epping, accordingly introduced a bill, entitled “An act to amend the two hundred and twenty-seventh chapter of the Revised Statutes,”

Which was read a first time.

On motion of Mr. Batchelder of Epping—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

Said bill was then read a second time.

*Ordered*, That it be referred to the committee on the State Prison.

On motion—

The House adjourned.

THURSDAY, JUNE 29, 1843.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended, that the reading of the Journal of yesterday be dispensed with.

Mr. Fletcher, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of amending the 132d chapter of the Revised Statutes, so as to give further protection from imposition and loss in purchasing personal property while the same is under mortgage, made a report,

Whereupon—

*Resolved*, That it is inexpedient at this time to legislate upon the subject.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petitions for the removal of officers therein named, reported an address for the removal of officers therein named.

On the question,

Shall the address be adopted?

It was decided in the affirmative.

So the address was adopted.

*Ordered*, That the the Clerk request the concurrence of the Senate therein.

Mr. Brewster, from the committee on the State Prison, to whom was referred the bill, entitled "An act relating to the government of the State Prison," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Brewster, from the same committee, reported a resolution, authorizing the Governor to employ a chaplain for the State Prison, and making an appropriation therefor,

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Jenness of Dover, from the committee on Military Affairs, to whom was referred the resolution, instructing them to inquire into the expediency of furnishing additional aid and encouragement to cavalry companies, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Crosby, from the select committee, to whom was referred the message of His Excellency the Governor, covering a letter of

the State Geologist; also the report of the committee on Finance, with the accompanying documents, by leave, made a report,

Which, on motion, was accepted.

Mr. Parker of Fitzwilliam, from the committee on Education, to whom was referred the bill, entitled "An act in relation to the Asylum for the Insane," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be postponed to the next session of the legislature.

Mr. Crosby, by leave, submitted a resolution, authorizing the Secretary of State to procure twelve hundred printed copies of the geological survey of the State,

Which were read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Meserve of Jefferson, from the select committee, consisting of the delegation from the county of Coos, to whom was referred the petition of Robert Tuttle and others, praying for the passage of a law, prescribing a central place for holding elections in the district of Carroll, Nash and Sawyer's Location, Crawford's Grant and Hart's Location, reported a resolution, designating a central place for holding elections in said district,

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the resolution, reported yesterday by the committee on the Judiciary, relative to an amendment of the license law; also the bill, entitled "An act in amendment of chapter 117 of the Revised Statutes," introduced by Mr. Peirce of Dover.

The question was upon the adoption of the resolution, reported by the committee on the Judiciary.

Said resolution was as follows :

*Resolved*, That it is not expedient at the present time to legislate upon the subject.

On the question,

Shall the resolution be adopted?

The ayes and noes were called for.

Those who voted in the affirmative are Messrs.—

Clarke of Atkinson  
Smith of Candia

Prescott  
Dinsmore of Derry

|                            |                           |
|----------------------------|---------------------------|
| Batchelder of Epping       | Taylor of Stoddard        |
| Shannon                    | Parker of Swanzey         |
| Nudd                       | Bellows                   |
| Nesmith                    | Barker                    |
| Hoit of Newington          | Barton                    |
| Butler                     | Beckwith                  |
| Goss                       | Little                    |
| Jewell                     | Metcalf                   |
| Stevens                    | Morgan of Plainfield      |
| Perkins of Centre Harbor   | Whittemore of Springfield |
| Tilton of Sandbornton      | Huntoon                   |
| Lord                       | Laws                      |
| Drake of Moultonborough    | Knowlton of Wendell       |
| Rowell                     | Crawford                  |
| Sceva of Andover           | Hibbard                   |
| Smith of Bradford          | Whitcher                  |
| Howe of Henniker           | Sargeant                  |
| Gookin                     | Arven                     |
| Page of Sutton             | Cheever                   |
| Robertson                  | Burnham                   |
| Thompson                   | Garnsey                   |
| Currier                    | Follansbee of Grafton     |
| Fletcher                   | Dow                       |
| Shattuck                   | Forbes                    |
| Poor of Goffstown          | Poor of Landaff           |
| Richards                   | Bowles                    |
| Ware                       | Clough of Orange          |
| Flint                      | Jenness of Piermont       |
| Merrill                    | Fifield                   |
| Hadley                     | Whitney                   |
| Manning                    | Clough of Warren          |
| Smith of Mason             | Dana                      |
| McKean                     | Buzzell                   |
| Atwood of Pelham           | Stokes                    |
| Follansbee of Peterborough | Morse                     |
| Robbe                      | Lawrence                  |
| Smith of Temple            | Ballou                    |
| Chapman                    | Eastman of Jackson        |
| Glover                     | Meserve of Jefferson      |
| Hamilton                   | Green                     |
| Giffin                     | Perkins of Pittsburgh     |
| Fisher                     | Martin                    |
| Howe of Rindge             | Burns                     |

Those who voted in the negative are Messrs.—

|                        |                        |
|------------------------|------------------------|
| Veazey                 | Leighton               |
| Underhill              | Sleeper of Alton       |
| Brown of Chester       | Roberts                |
| Bradley                | French of Gilmanton    |
| Meloon                 | Ladd                   |
| Taylor of Derry        | Wight                  |
| Odlin                  | Mallard                |
| Conner                 | Sleeper of Gilford     |
| Brackett               | Tilton of Meredith     |
| Towle of Hampton       | Fisk                   |
| Thayer                 | Brown of Sandbornton   |
| Oliver                 | Parrish                |
| Towle of New Market    | Cate                   |
| Furber                 | Hanson                 |
| Badger                 | Blaisdell              |
| Cleaves                | Drake of Effingham     |
| Goodwin                | Thurston               |
| Knowlton of Portsmouth | Quimby                 |
| Brewster               | Beede                  |
| Emery                  | Cook                   |
| Wiggin                 | Haley                  |
| Gilman                 | Sawyer                 |
| Eaton                  | Whitton                |
| Foss                   | Avery                  |
| Dinsmoor of Windham    | Chandler               |
| Boody                  | Pearson                |
| Peirce of Dover        | Taylor of Canterbury   |
| Jenness of Dover       | Seavey of Chichester   |
| Clark of Dover         | Hoyt of Dunbarton      |
| Willey                 | Griffin                |
| Demeritt               | Daniell                |
| Wilson of Lee          | Batchelder of Loudon   |
| Varney                 | Peaslee                |
| Downing                | Clark of Northfield    |
| Mathes                 | Knowlton of Pittsfield |
| Smart                  | Stewart                |
| Plumer                 | Pattee                 |
| Rollins                | Wilkins                |
| Noble                  | Atwood of Francestown  |
| Young                  | Peavey                 |

|                       |                        |
|-----------------------|------------------------|
| Chase                 | Pierce of Winchester   |
| Clark of Manchester   | Woodbury               |
| Morrill               | Challis                |
| Judkin                | Handerson of Claremont |
| Bunton                | Wood                   |
| Putnam                | Gunnison               |
| Kittredge             | Smith of Grantham      |
| Baldwin               | Garfield               |
| Preston               | Bartlett               |
| Nay                   | Dearborn               |
| Paige of Weare        | Holden                 |
| Barrett               | Crosby                 |
| Parker of Fitzwilliam | Eastman of Haverhill   |
| Webster               | Hammond                |
| Todd                  | Cox                    |
| Felt                  | Liscomb                |
| Sturtevant            | Kimball                |
| Phillips              | Kilburn                |
| Wilson of Sullivan    | Skinner                |
| Crehore               | Bissell                |
| Barber                | Drown                  |
| Hosmer                | Bishop                 |
| Tudor                 | Ross                   |
| Kingman               |                        |

Ayes 92, Noes 127.

So the negative of the question prevailed,  
And the resolution was rejected.

The question being upon passing to a second reading, the bill introduced by Mr. Peirce of Dover, entitled "An act in amendment of chapter 117 of the Revised Statutes,"

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended, that the further consideration of the bill be postponed and be made the special order of the day for this afternoon at four o'clock.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

"An act to annex James Ferrin of Freedom, to school district No. 4 in the town of Eaton ;"

“An act in relation to the Judiciary.”

The Senate also concur with the House in the appointment of a committee of conference, upon the subject of the disagreement of the two branches of the legislature, upon the Senate's amendment to the bill, entitled “An act in addition to and in amendment of chapter 172 of the Revised Statutes,” and have on their part joined Messrs. Colby, Hoskins and Smith.”

Mr. Taylor of Stoddard, from the committee on Claims, to whom was referred the accounts of Harry Hibbard, John F. Brown and Joel Parker, reported a resolution in favor of Harry Hibbard and others,

Which was read a first time.

On motion of Mr. Taylor of Stoddard—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

Said resolution was then read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Thompson, from the committee on the State Prison, to whom was referred the resolution, instructing them to cause an appraisement at its cash value of all the stock, tools and all other property in the State Prison belonging to the State, and also the amount of all demands, whether of notes or book account, reported that they had appointed Zenas Clement, Esq. of Concord, Franklin Symonds, Esq. of Warner and Hon. Jesse Carr of Goffstown, appraisers, who had attended to that duty, and made a report which was now submitted.

Said report was read.

On motion of Mr. Peirce of Dover—

*Resolved*, That said report lie upon the table and that the Clerk be directed to procure five hundred printed copies for the use of the House.

Mr. Robertson, from the committee on Claims, to whom was referred the account of the trustees of the Exeter Savings Bank, reported a resolution in favor of Ira B. Hoitt and others,

Which was read a first time.

On motion of Mr. Drown—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

Said resolution was then read a second time.

Mr. Drown moved that the rules of the House be so far suspended that the resolution be read a third time at the present time.

And the question being put,

It was decided in the negative.

So the House refused to suspend the rules and pass said bill to a third reading.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Skinner, from the committee on Claims, to whom was referred the petition of Laban Page, praying for relief for losses incurred in the performance of a contract in the erection of the Insane Asylum, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Howe, by leave, introduced a resolution, relating to Registers of Probate, who are by law required to keep their offices in any particular town or place,

Which was read a first time.

On motion of Mr. Page—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

The resolution was then read a second time.

On motion of Mr. Page—

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Nay—

*Resolved*, That the committee on the State Prison be instructed to inquire into the expediency of appointing a committee, to audit the account of the Warden of the Prison and make an annual report to the Legislature.

On motion of Mr. Barrett—

*Resolved*, That when the House adjourn this forenoon, they adjourn to meet at two o'clock in the afternoon.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that all bills and resolutions in order for a second reading this forenoon at eleven o'clock, be in order for a second reading at the present time.

The House accordingly proceeded to the order of the day upon the bill, entitled "An act in amendment to the fifth section of the one hundredth chapter of the Revised Statutes,"

Which was read a second time.

Mr. Peirce of Dover offered an amendment to said bill which was adopted.

On motion of Mr. Skinner—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

Said bill was then read a third time.

*Resolved*, That it pass, and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill, entitled "An act making appropriations for the militia of this State for the year 1843,"

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the following resolutions, to wit :

A resolution authorizing the Governor to employ a Chaplain for the State Prison, and making an appropriation therefor;

A resolution in favor of the Boscawen Artillery company;

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the resolution, designating a central place for holding elections in the district composed of Carroll, Nash and Sawyer's Location, Hart's Location and Crawford's Grant,

Which was read a second time.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on Bills on their Second Reading.

The House proceeded in the order of the day upon the resolution, authorizing and directing the Secretary of State to procure twelve hundred printed copies of the Geological Survey of the State,

Which was read a second time.

Mr. Crosby proposed an amendment to said resolution which was adopted.

On motion of Mr. Peirce of Dover—

*Resolved*, That the resolution be referred to the committee on Agriculture and Manufactures.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended, that all bills and resolutions that are in order for a second reading to-morrow forenoon at eleven o'clock, be in order for a second reading this afternoon at two o'clock, and all bills and resolutions that are in order for a third reading to-morrow afternoon at three

o'clock be in order for a third reading at three o'clock this afternoon.

On motion—

The House adjourned.

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### AFTERNOON.

Mr. Robertson, from the committee on Claims, to whom was recommitted the resolution in favor of Isaac L. Folsom and Samuel S. Dow, by leave, reported said resolution with an amendment,

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion—

*Resolved*, That the rules of the House be so far suspended that the resolution be in order for a third reading this afternoon at three o'clock.

Mr. Huntoon, by leave, submitted a resolution in favor of Carleton and Harvey,

Which was read a first time.

On motion of Mr. Huntoon—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

Said resolution was then read a second time.

*Ordered*, That it be referred to the committee on Claims.

Mr. Gunnison, from the committee on Agriculture and Manufactures, to whom was referred the petition of Josiah Richards and others, praying for a bounty on the growth of silk, by leave, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended, that all bills and resolutions that are in order for a third reading this afternoon at three o'clock, be read a third time at the present time.

The House accordingly proceeded to the order of the day upon bills with the following titles and the following resolutions, to wit :

"An act to incorporate the Northern railroad company;"

"An act to incorporate the Piscataquog railroad company;"

"An act to prevent small pox by vaccination;"

"An act in addition to the 49th chapter of the Revised Statutes;"

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

"An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of New Hampshire;"

"An act to incorporate the proprietors of the Nashville and East Wilton railroad;"

"An act in amendment to the fifth section of the one hundredth chapter of the Revised Statutes;"

"An act making appropriations for the militia of this State for the year 1843;"

Resolutions relating to the imprisonment of citizens of this State in other States;

A resolution authorizing the treasurer to borrow money on the credit and for the use of the State;

A resolution authorizing and directing the adjutant general to adjust the claim of the officers of the Dover Artillery company;

A resolution authorizing the Governor to employ a chaplain for the State Prison and making an appropriation therefor;

A resolution in favor of Ira B. Hoitt and others;

A resolution in favor of Harry Hibbard and others;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow;

A resolution granting to the Boscawen Artillery company a six pound piece of brass ordnance;

Which were severally read a third time.

*Resolved*, That they pass and that the titles of the bills be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Clarke of Atkinson, from the select committee, to whom was referred a resolution, instructing them to inquire into the expediency of so amending chapter 146 of the Revised Statutes as to allow corporators the right to vote by proxy in certain cases, by leave, reported a bill, entitled "An act relating to manufacturing corporations,"

Which was read a first and second time.

Mr. Kimball proposed an amendment to said bill, which was adopted.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time by its title.

Said bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Foss—

*Resolved*, That Messrs. Meserve of Madbury and Willey of Durham have leave of absence after this day, and that the Clerk be directed to make up their pay roll accordingly.

Mr. Wilson of Lee, from the committee on the State Prison, to whom was referred the bill, entitled "An act to amend the two hundred and twenty-seventh chapter of the Revised Statutes," by leave, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Thompson, by leave, presented the accounts of Zenas Clement, Franklin Symonds, Jesse Carr and Bartholomew Smith.

*Ordered*, That they be referred to the committee on Claims.

On motion of Mr. Emery—

*Resolved*, That the rules of the House be so far suspended, as to allow him at this time to introduce a bill.

Mr. Emery accordingly introduced a bill, entitled "An act in relation to Banking,"

Which was read a first time.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the further consideration of said bill be postponed to the next session of the Legislature.

On motion of Mr. Peirce of Dover—

The House proceeded to the special order of the day upon the bill, entitled "An act in amendment of chapter 117 of the Revised Statutes,"

Which was read a second time.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

Said bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the Clerk of the House be directed to procure the publication of the bill, entitled "An act in relation to Banking," and the bill, entitled "An act to incorporate the president,

directors and company of the Mutual Safety Bank of Portsmouth," the further consideration of which are postponed to the next session of the legislature, in the several newspapers authorized to publish the laws of this State, at least thirty days previous to the first Wednesday of June next.

Mr. Huntoon, by leave, presented the account of Zenas Clement.

*Ordered*, That it be referred to the committee on Claims.

Mr. Batchelder of Epping moved that the House adjourn,

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

On motion of Mr. Peirce of Dover—

*Resolved*, That the House take a recess for one hour.

The House accordingly took a recess.

### HALF PAST FIVE O'CLOCK.

Mr. Flint, from the committee on Engrossed Bills, by leave, reported that they had carefully examined and found correctly engrossed, bills with the following titles and the following resolutions, to wit:

"An act in relation to the Judiciary;"

"An act to annex James Ferren of Freedom to school district No. 4 in Eaton;"

A resolution in favor of Benjamin Stephenson and John F. Holt;

A preamble and resolutions relating to the Military Academy at West Point;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Towle, from the committee on the Alteration of Names, to whom was referred the petition of Thomas F. Odell, praying for the alteration of his name, by leave, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature.

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the resolution, requiring Registers of Probate to reside in the towns in the several counties where their records are by law, required to be kept, by leave, reported said resolution without amendment.

On motion of Mr. Boardman—

*Resolved*, That that the rules of the House be so far suspended, that the resolution be read a third time at the present time.

Said resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title, and the following resolution, to wit :

“An act to alter the names of certain persons ;”

A resolution in favor of the estate of George W. Bagley.

On motion—

The House adjourned.

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FRIDAY, JUNE 30, 1843.

On motion of Mr. Hibbard—

*Resolved*, That the rules of the House be so far suspended, that the reading of the Journal of yesterday be dispensed with.

Mr. Taylor of Stoddard, presented the account of W. Walker.

*Ordered*, That it be referred to the committee on Claims.

Mr. Rowell, from the committee on Finance, to whom was referred the treasurer's estimate, reported a bill, entitled “An act to raise sixty thousand dollars for the use of the State,”

Which was read a first time.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended, that all bills and resolutions be in order for a second and third reading immediately after the first reading.

The bill, entitled “An act to raise sixty thousand dollars for the use of the State,” was then read a second and third time.

*Resolved*, That it pass, and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Rowell, from the committee on Finance, to whom was referred the treasurer's estimate, reported a resolution appropri-

ating five hundred dollars for the contingent expenses of this State,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Rowell, from the committee on Finance, to whom was referred the treasurer's estimate, reported a resolution, appropriating fifteen hundred dollars for the education of the indigent deaf and dumb persons of this State, at the Asylum at Hartford, and five hundred dollars for the education of indigent blind persons at the Asylum at Boston,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Taylor of Stoddard, from the committee on Claims, to whom were referred the accounts of the committee, appointed to appraise the property of the State in the State Prison, reported a resolution in favor of Zenas Clement and others,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Paige of Weare, from the committee on Printer's Accounts, to whom was referred the account of George W. Ela, reported a resolution in favor of George W. Ela,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Brown of Chester, from the committee on Education, to whom was referred the petition of Abraham H. Chandler and others, praying that a part of school district No. 16 in Haverhill, may be severed from said district, and annexed to school district No. 11 in Bath, for the purposes of schooling; the petition of the inhabitants of school district No. 7 in Haverhill, and No. 9 in Piermont, praying that a portion of said district in Piermont may be severed therefrom, and annexed to school district No. 7 in Haverhill, for the purposes of schooling; the petition of Joseph Hall and Thomas Pain, praying to be disannexed from school district No. 3 in Rumney, and annexed to school district No. 2 in said Rumney; and the petition of William Southard and others, inhabitants of Haverhill and Bath, praying that a tract of land

may be severed from school districts Nos. 11 and 16 in Haverhill, and annexed to school district No. 11 in Bath, made a report,

Whereupon—

*Resolved*, That the further consideration of said petitions be postponed to the next session of the Legislature.

Mr. Fisk, from the committee on Education, to whom was referred the petition of Thomas Y. Wentworth and others, inhabitants of school district No 11 in Milton, and school district No. 16 in Farmington, praying for the passage of an act uniting said districts ; and the petition of Jacob Leighton and others, praying for the passage of an act uniting school district No. 9 in Effingham, with school district No. 12 in Ossipee, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petitions.

Mr. Flint, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, a bill with the following title and the following resolution, to wit:

“An act to alter the names of certain persons ;”

“A resolution in favor of the estate of George W. Bagley.”

Mr. Hibbard, from the committee on the Judiciary, to whom was referred the memorial of John McDaniel, praying for the passage of an act to establish a board of commissioners, vested with powers to prescribe the rules, regulations and provisions contemplated in the fifth section of the act of incorporation of the Concord railroad corporation, made a report, accompanied by a bill, entitled “An act in amendment of the charter of the Concord railroad corporation,”

Which was read three several times.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Taylor of Stoddard, from the committee of Claims, to whom was referred the accounts of Zenas Clement, Carlton & Harvey, and Walker & Co., reported a resolution in favor of Zenas Clement and others,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Crosby, from select committee, to whom was referred the message of His Excellency the Governor, accompanied by the reports of the board of visitors, trustees and superintendent of the

New Hampshire Asylum for the Insane, made a report, accompanied by the following resolution:

*Resolved*, That the further consideration of the subject of an appropriation for a new building be postponed to the next session of the legislature.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Hibbard, from the select committee, appointed to confer with the committee of the Hon. Senate, upon the disagreement of the two Houses upon the amendment of the Senate to the bill, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," reported the following resolution, to wit:

*Resolved*, That the House concur with the Senate in the adoption of their amendment to said bill.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed, and the House concurred with the Senate in the adoption of their amendment to said bill.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Barton, by leave, presented the account of Joseph Robinson;

Mr. Little, by leave, presented the accounts of William Fisk, Porter & Rolfe, Carleton & Harvey, Franklin Evans and Josiah Stevens, Jr.

*Ordered*, That said accounts be referred to the committee on Claims.

On motion of Mr. Smith of Bradford—

*Resolved*, That the House are now ready to meet the Senate in Convention, for the purpose of proceeding in the elections agreeably to the laws of this State.

## IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the laws of this State,

On motion of Mr. Colby of the Senate—

The Convention proceeded to the choice Warden of the State Prison.

On the first balloting the chairman of the Convention announced the state of the vote as follows:

|                             |      |
|-----------------------------|------|
| Whole number of votes cast, | 221  |
| Necessary to a choice,      | 111  |
| Samuel G. Wilson has        | 1    |
| Isaac Hill has              | 1    |
| Andrew Jackson has          | 1    |
| Carroll & Baker have        | 1    |
| James Moore has             | 1    |
| Joshua Atwood has           | 1    |
| Henry Hubbard has           | 1    |
| Woodbridge Odlin has        | 1    |
| George W. G. Whitton has    | 2    |
| Mical Tubbs has             | 6    |
| Elisha P. Liscomb has       | 61   |
| Samuel G. Berry has         | 144; |

And Samuel G. Berry was accordingly declared elected.

Mr. Carpenter of the Senate, from the committee appointed to wait upon the Secretary of State, State Treasurer, Commissary General and State Printers, elect, and inform them of their election, and if they accept said offices to receive of them the bonds required by law, reported that they had attended to that duty.

On motion of Mr. Hoskins—

The Convention rose and the Senate withdrew.

## IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Colby—

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, to wait upon Samuel G. Berry and inform him of his election to the office of Warden of the State Prison, and if he accept said office to receive of him the bond required by law, and to inform His Excellency the Governor of said appointment.

*Ordered*, That Messrs. Colby, Bissell and Martin be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles and the following resolutions, to wit:

"An act in amendment of the 39th chapter of the Revised Statutes;"

"An act in favor of Jeremiah C. Tilton;"

"An act to annex Robert Hopkins of Windham to school district No. 5 in Derry;"

A resolution authorizing the State Treasurer to borrow money on the credit and for the use of the State;

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick;

A resolution in favor of Benaiah Cooke.

The Senate concur with the House in the passage of the bill, entitled "An act in amendment of chapter 228 of the Revised Statutes," and the resolution in favor of Lucinda C. Givin, with amendments, in which they ask the concurrence of the House.

The Senate have postponed to the next session of the legislature the bill, entitled "An act in amendment of chapter 117 of the Revised Statutes."

The House proceeded to the consideration of the foregoing resolution, in favor of Lucinda C. Givin, with the amendment which came down from the Senate.

On the question,

Will the House concur with the Senate in the adoption of said amendment?

It was decided in the affirmative.

So the House concurred with the Senate in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded to the consideration of the foregoing bill, entitled "An act in amendment of chapter 228 of the Revised Statutes, with the amendment, which came down from the Senate.

On the question,

Will the House concur with the Senate in the adoption of said amendment?

Mr. Butler called for the ayes and noes.

Those who voted in the affirmative are, Messrs —

Clarke of Atkinson  
Veazey  
Smith of Candia  
Brown of Chester  
Bradley  
Prescott

Meloon  
Dinsmore of Derry  
Taylor of Derry  
French of East Kingston  
Batchelder of Epping  
Odlin

|                        |                        |
|------------------------|------------------------|
| Conner                 | Haley                  |
| Shannon                | Sawyer                 |
| Towle of Hampton       | Whitton                |
| Nudd                   | Avery                  |
| Thayer                 | Rowell                 |
| Nesmith                | Sceva of Andover       |
| Oliver                 | Chandler               |
| Hoit of Newington      | Morgan of Bow          |
| Furber                 | Smith of Bradford      |
| Butler                 | Seavey of Chichester   |
| Badger                 | Hoyt of Dunbarton      |
| Knowlton of Portsmouth | Daniell                |
| Gilman                 | Howe of Henniker       |
| Goss                   | Ayer                   |
| Jewell                 | Batchelder of Loudon   |
| Foss                   | Peaslee                |
| Peirce of Dover        | Clark of Northfield    |
| Clark of Dover         | Knowlton of Pittsfield |
| Willey                 | Gookin                 |
| Demeritt               | Page of Sutton         |
| Wilson of Lee          | Robertson              |
| Stevens                | Thompson               |
| Downing                | Currier                |
| Smart                  | Stewart                |
| Plumer                 | Fletcher               |
| Rollins                | Shattuck               |
| Young                  | Atwood of Francestown  |
| Sleeper of Alton       | Richards               |
| Roberts                | Peavey                 |
| Ladd                   | Flint                  |
| Wight                  | Merrill                |
| Mallard                | Hadley                 |
| Sleeper of Gilford     | Manning                |
| Tilton of Meredith     | Clark of Manchester    |
| Fisk                   | Morrill                |
| Brown of Sandbornton   | Smith of Mason         |
| Cate                   | Walker of Merrimack    |
| Drake of Effingham     | Kittredge              |
| Smith of Ossipee       | Baldwin                |
| Quimby                 | McKear                 |
| Beede                  | Dodge of New Boston    |
| Cooke                  | Preston                |

|                            |                           |
|----------------------------|---------------------------|
| Atwood of Pelham           | Metcalf                   |
| Follansbee of Peterborough | Morgan of Plainfield      |
| Robbe                      | Whittemore of Springfield |
| Colby                      | Knowlton of Wendell       |
| Paige of Weare             | Sargeant                  |
| Chapman                    | Arven                     |
| Glover                     | Curtis                    |
| Hamilton                   | Cheever                   |
| Marshall                   | Garnsey                   |
| Parker of Fitzwilliam      | Follansbee of Grafton     |
| Webster                    | Holden                    |
| Giffin                     | Dow                       |
| Fisher                     | Eastman of Haverhill      |
| Phillips                   | Hammond                   |
| Taylor of Stoddard         | Cox                       |
| Wilson of Sullivan         | Poor of Landaff           |
| Crehore                    | Kimball                   |
| Parker of Swanzey          | Skinner                   |
| Hosmer                     | Bissell                   |
| Tudor                      | Jeness of Piermont        |
| Pierce of Winchester       | Whitney                   |
| Woodbury                   | Dana                      |
| Challis                    | Buzzell                   |
| Freeman                    | Drown                     |
| Wood                       | Bishop                    |
| Gunnison                   | Meserve of Jefferson      |
| Smith of Grantham          | Green                     |
| Garfield                   | Perkins of Pittsburg      |
| Little                     | Martin                    |

Those who voted in the negative are, Messrs.—

|                     |                      |
|---------------------|----------------------|
| Towle of New Market | Varney               |
| Cleaves             | Mathes               |
| Brewster            | Noble                |
| Emery               | George               |
| Wiggin              | Taylor of Canterbury |
| Eaton               | Griffin              |
| Dinsmoor of Windham | Pattee               |
| McDaniel            | Ware                 |
| Boody               | Chase                |
| Jeness of Dover     | Boardman             |

|                        |          |
|------------------------|----------|
| Smith of Temple        | Crawford |
| Felt                   | Whitcher |
| Sturtevant             | Bean     |
| White                  | Bartlett |
| Howe of Rindge         | Dearborn |
| Bellows                | Burnham  |
| Barker                 | Forbes   |
| Kingman                | Bowles   |
| Handerson of Claremont | Kilburn  |
| Laws                   | Morse    |

Ayes 155, Nöes 40.

So the affirmative of the question prevailed;  
And the House concurred with the Senate in the adoption of  
their amendment to said bill.

*Ordered*, That the Clerk inform the Senate thereof.

On motion—

The House adjourned.

## AFTERNOON.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House in the appointment of a joint select committee, to wait on Hon. Samuel G. Berry, and inform him of his election to the office of Warden of the State Prison, and if he accept said office, to receive of him the bond required by law, and inform His Excellency the Governor of said appointment, and have on their part joined Mr. Warner.”

Mr. Atwood of Pelham, introduced a resolution in favor of Robert Hale and others, doorkeepers of the Legislature the present session.

Said resolution was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Preston—

The House resumed the consideration of the resolution, reported by the select committee consisting of the delegation from the county of Hillsborough, indefinitely postponing the further consideration of the petition of Isaac C. Flanders and others, praying for the erection of a new county, to be composed of parts of the counties of Hillsborough, Rockingham and Merrimack.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed,

And the further consideration of said petition was indefinitely postponed.

Mr. Robertson, from the committee on Claims, to whom were referred the accounts of William Fisk, Currier & Hall, Porter & Rolfe, Franklin Evans and Joseph Robinson, by leave, reported a resolution in favor of William Fisk and others,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Gunnison, from the committee on Agriculture and Manufactures, by leave, reported a resolution, making an appropriation for the printing of the final report of the State Geologist, and directing the manner of distributing the same,

Which was read a first and second time.

Mr. Clarke of Atkinson offered an amendment to said resolution.

Mr. Burnham moved that the resolution be recommitted to the committee on Agriculture and Manufactures, with instructions to report a resolution, making an appropriation for six hundred printed copies of the Geological report, in quarto form, with plates and maps to illustrate the Geology of the State.

Mr. Pevey moved that the further consideration of the resolution be postponed to the next session of the legislature,

And the question being put,

It was decided in the negative.

So the House refused to postpone the further consideration of said subject to the next session of the legislature.

On motion of Mr. Odlin—

*Ordered*, That the resolution lie upon the table.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Rep-

representatives in the passage of bills with the following titles and the following resolutions, to wit:

"An act to raise sixty thousand dollars for the use of the State;"

A resolution appropriating five hundred dollars for the contingent expenses of the State;

A resolution in favor of Zenas Clement and others;

A resolution appropriating fifteen hundred dollars for the education of indigent deaf and dumb persons of this State at the Asylum at Hartford, and five hundred dollars for the education of indigent blind persons of this State at the Asylum at Boston;

"An act in amendment of the 5th section of the one hundredth chapter of the Revised Statutes;"

"An act in amendment of the charter of the Concord railroad corporation."

The Senate have passed a bill with the following title and the following resolution, in which they ask the concurrence of the House, to wit:

"An act in amendment of the 5th section of chapter 39 of the Revised Statutes of the State of New Hampshire;"

A resolution relating to the bonds of the Secretary of State and other officers."

The House proceeded to the consideration of the foregoing bill, entitled: "An act in amendment of the fifth section of chapter thirty-nine of the Revised Statutes of the State of New Hampshire," which came down from the Senate;

Which was read a first and second time.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded to the consideration of the resolution, relating to the bonds of State officers, which came down from the Senate.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Downing, from the committee on Bills on their Second Reading, to whom was referred the resolution, designating a central place for holding elections in the district of Carroll, Nash and Sawyer's Location, Hart's Location and Crawford's Grant, by leave, reported said resolution without amendment.

Said resolution was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Colby, from the committee appointed to wait on Hon. Samuel G. Berry, and inform him of his election to the office of Warden of the State Prison, and if he accept, to receive of him the bond required by law, and to inform His Excellency the Governor of said appointment, reported that they had attended to that duty.

Mr. Smith of Grantham, from the committee on the State Prison, reported a resolution, authorizing and directing His Excellency the Governor to appoint, annually, a committee of three to appraise all the property of the State Prison, as it shall be on the first of May of each year.

Said resolution was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Poor of Landaff, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, bills with the following titles and the following resolutions, to wit:

“An act in favor of Jeremiah C. Tilton;”

“An act to annex Robert Hopkins of Windham to school district No. 5 in Derry;”

A resolution authorizing the State Treasurer to borrow money on the credit and for the use of the State;

A resolution in favor of Benaiah Cooke;

A resolution in favor of J. B. Wiggin and Ira R. Philbrick;

A resolution in favor of Lucinda C. Givin;

“An act to raise sixty thousand dollars for the use of the State;”

A resolution appropriating fifteen hundred dollars for the education of indigent deaf and dumb persons of this State at the Asylum at Hartford, and five hundred dollars for the education of indigent blind persons at the Asylum at Boston;

A resolution in favor of Zenas Clement, Carleton & Harvey and Walker & Co.;

A resolution appropriating five hundred dollars for the contingent expenses of this State;

A resolution in favor of the Boscawen Artillery company; Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Clark of Manchester, from the committee on the Judiciary, to whom was referred the bill which came down from the

Hon. Senate, entitled "An act in amendment of the fifth section of chapter thirty-nine of the Revised Statutes of the State of New Hampshire," reported said bill without amendment.

Said bill was then read a third time.

*Resolved*, That it pass, and that its title be as aforesaid.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Kimball—

The House resumed the consideration of the report of the committee on Banks, relating to the amount of money paid by the several banks of this State into the Treasury, agreeably to the law of the State, constituting the literary fund.

On motion of Mr. Kimball—

*Resolved*, That said report be accepted.

On motion of Mr. Nay—

*Resolved*, That when the House adjourn this afternoon, they adjourn to meet again to-morrow morning at four o'clock.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles and the following resolutions, to wit:

A resolution in favor of the Boscawen Artillery company;

A resolution in relation to employing a Chaplain in the State Prison;

A resolution in favor of Isaac L. Folsom and others;

A resolution in favor of George W. Ela;

A resolution in favor of Harry Hibbard and others;

"An act relating to manufacturing corporations;"

"An act to amend and explain the third section in the two hundred and fifth chapter of the Revised Statutes;"

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act making appropriations for the militia of this State;"

"An address in favor of the removal of certain officers;"

A resolution in relation to Registers of Probate in this State;

A resolution in favor of Jesse Carr and others;

"An act in amendment of the 44th section in chapter 140 of the Revised Statutes;"

A resolution in favor of Robert Hale and others;

A resolution in favor of William Fisk and others.

The Senate also concur with the House in the passage of the bill, entitled "An act in amendment of the 146th chapter of the Revised Statutes," and a resolution in favor of Ira B. Hoitt and others, with amendments, in which they ask the concurrence of the House."

The House proceeded to the consideration of the bill, entitled "An act in amendment of the 146th chapter of the Revised Statutes," with the amendment which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of said amendment?

It was decided in the affirmative.

So the House concurred with the Hon. Senate in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded to the consideration of the resolution in favor of Ira B. Hoitt and others, with the amendment which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of said amendment?

It was decided in the affirmative.

So the House concurred with the Hon. Senate in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Crosby—

The House resumed the consideration of the resolution, reported by the committee on Agriculture and Manufactures, relating to the printing of the final report of the State Geologist.

The question being upon the motion of Mr. Burnham, to recommit said resolution, with instructions to report a resolution, providing for the printing of six hundred copies of the final report of the State Geologist in the quarto form, with maps and plates to illustrate the geology of the State,

But before the question was taken,

Mr. Burnham withdrew said motion.

The question recurring upon the adoption of the amendment proposed by Mr. Clarke of Atkinson, to said resolution,

And the question being put,

It was decided in the negative.

So the amendment was rejected.

The question now recurring upon the adoption of the resolution, reported by the committee on Agriculture and Manufactures,

Mr. Crosby proposed an amendment to said resolution,

Which was adopted.

Mr. Sawyer proposed an amendment to said resolution,

Which was adopted.

Mr. Brewster, proposed an amendment to said resolution,

Which was adopted.

Mr. Giffin proposed an amendment to said resolution,  
Which was adopted.

Said resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Sawyer, by leave, presented the petition of John Greenfield and others, praying for a grant of a charter for a railroad from Great Falls to Rochester;

Mr. Sawyer, by leave, presented the petition of Samuel Quarles and others, praying for a grant of a charter for a railroad from Rochester to Conway;

Mr. Sawyer presented the petition of John Crocker and others, praying for a grant of a charter for a railroad from Somersworth to Conway;

Also, the petition of Zana Cutler and fifty others, praying for the same object;

Also, the petition of Henry Tibbetts and others praying for the same object.

On motion of Mr. Sawyer—

*Resolved*, That the further consideration of said petitions be postponed to the next session of the legislature.

Mr. Robinson introduced a resolution in favor of William Carter, Jr., Engrossing Clerk,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Barber—

*Resolved*, That the House take a recess until half past seven o'clock.

The House took a recess accordingly.

## HALF PAST SEVEN O'CLOCK.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate have postponed to the next session of the legislature, the further consideration of bills with the following titles, to wit :

“An act for the further encouragement of education ;”

"An act in amendment of chapter 117 of the Revised Statutes;"

"An act to incorporate the Nashville and East Wilton railroad company;"

"An act to incorporate the Northern railroad company;"

"An act to incorporate the Piscataquog railroad company;"

"An act to incorporate the Great Falls and Conway railroad company."

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate have indefinitely postponed the further consideration of bills with the following titles, and the following resolutions, to wit :

"An act in addition to chapter 145 of the Revised Statutes;"

"An act to prevent small pox by vaccination;"

"An act in amendment of chapter 222 of the Revised Statutes;"

"An act in amendment of chapter 215 of the Revised Statutes ;"

"An act in amendment of chapter 71 of the Revised Statutes;"

A resolution providing for School Returns;

A resolution in relation to the imprisonment of citizens of this State in other States;

A resolution in favor of the Dover artillery company."

On motion of Mr. Peirce of Dover—

*Resolved*, That the thanks of this House be presented to Hon. Samuel Swasey, Speaker thereof, for the able and acceptable manner with which he has performed the important duties of that office the present year.

To which the Speaker replied as follows :

*Gentlemen* :—The expression embodied in the resolution just passed, of your good will towards myself and your approbation of the discharge of the duties, your kindness imposed upon me, demands of me in return, my most grateful and heartfelt acknowledgments. When I ventured, called to them by your partiality, to assume the responsible and often difficult duties of this chair, I counted with certainty upon your gentlemanly courtesy and ready aid. I have not been disappointed, but my expectations on this head have been more than fulfilled. For this I thank you.

Allow me, gentlemen, to congratulate you upon the near and successful termination of the labors of the session. Though not very many enactments have been made, nor many, nor great changes introduced into our statutes, at the present time,

it by no means follows that the usefulness of your labors has thereby been abridged. Considering the condition in which you found the statutes at the commencement of the session, to have *refrained* from legislation, often the most difficult duty to the legislator, will, I have no doubt, be deemed the best, as I think it the highest evidence, not only of firmness, but of wisdom on your part.

To the approbation of your own consciences, gentlemen, for your course of action here, may there be added the next highest reward of the representative, the approval of your constituents.

Gentlemen, when the business for which you are here, shall be accomplished, may you each be blessed with a safe and speedy return to his home, and may you find those homes, the homes of health and happiness.

I beg you, gentlemen, each to accept my adieu, and the assurance that you have my highest respect and best wishes.

On motion of Mr. Sturtevant—

*Resolved*, That the thanks of the House be extended to the several reverend clergymen who have officiated as chaplains thereof during the present session.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title, and the following resolutions, to wit :

“An act to amend the charter of the Concord railroad company;”

A resolution in favor of Zenas Clement and others;

A resolution in favor of William Carter, Jr. ;

A resolution in relation to the annual meeting of the town of Carroll, Nash and Sawyer's Location, Crawford's Purchase, and Hart's Location, with an amendment, in which they ask the concurrence of the House.

The Senate have indefinitely postponed the resolution, authorizing the Governor to appoint a committee annually, to examine and audit the accounts of the State Prison.”

The House proceeded to the consideration of the foregoing resolution, designating a central place for holding elections in the district of Carroll, Nash and Sawyer's Location, Crawford's Purchase, and Hart's Location, with the amendment which came down from the Hon. Senate.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Flint, from the committee on Engrossed Bills, reported, that they had carefully examined and found correctly engrossed, bills with the following titles, and the following resolutions, to wit :

“An act relating to manufacturing corporations;”

“An act in amendment of the charter of the Concord railroad Corporation;”

“An act making appropriations for the militia of this State for the year one thousand eight hundred and forty-three;”

“An address in favor of the removal of certain officers therein named;”

A resolution in favor of Wm. Fisk, Currier & Hall, Porter & Rolfe, Franklin Evans and Joseph Robinson;

A resolution in favor of Geo. W. Ela;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow;

A resolution relating to Registers of Probate;

A resolution in favor of James Burley and James Foss;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown;

A resolution relating to the instruction of convicts in the State Prison;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hibbard introduced a resolution, authorizing the Governor to appropriate the unexpended balance of the appropriation for the education of the blind, to the education of the deaf and dumb at the Asylum at Hartford,

Which was read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

It was moved that the House now adjourn.

And the question being put,

It was decided in the negative:

So the House refused to adjourn.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of sundry resolutions, directing the printing of the final report of the State Geologist, with amendments in which they ask the concurrence of the House.

The Senate concur with the House in the passage of the resolution, authorizing the Governor to appropriate the unexpended balance of the appropriation for the education of indigent blind persons, to the education of the deaf and dumb, at the Asylum at Hartford."

The House proceeded to the consideration of the foregoing resolution, directing the printing of the final report of the State Geologist, with the amendments which came down from the Senate.

On the question,

Will the House concur with the Senate in the adoption of said amendment?

Mr. Odlin moved that the resolution and amendment be indefinitely postponed.

After debate, Mr. Odlin moved that the resolution and amendment lie upon the table,

And the question being put,

It was decided in the negative.

So the House refused to lay said resolution and amendment upon the table.

Mr. Parker of Fitzwilliam, proposed an amendment to the Senate's amendment,

Which was adopted.

The question recurring upon the motion indefinitely to postpone the further consideration of the resolution and amendment,

And the question being put,

It was decided in the negative.

So the House refused indefinitely to postpone the further consideration of of said resolution and amendment.

The question now recurring upon concurring with the Hon. Senate in their amendment to said resolution,

It was decided in the affirmative.

So the House concurred with the Senate in the adoption of their amendment to said resolution.

Mr. Hibbard introduced a resolution, suspending the Geological Survey of the State, except so far as is necessary to complete the publication of the final report of the State Geologist,

Which was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the negative.

So the House denied the resolution a third reading.

It was moved that the House adjourn,

And the question being put,  
It was decided in the negative.  
So the House refused to adjourn.

On motion of Mr. Parker of Fitzwilliam—

The House reconsidered their vote denying a third reading to the resolution, suspending the Geological Survey of the State except so far as is necessary to complete the final report of the State Geologist.

Said resolution was then read three several times.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Flint, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed the following resolutions, to wit :

A resolution in favor of William Carter, jr.;

A resolution in favor of Robert Hale and others;

A resolution designating a central place for holding elections in the district of Carroll, Nash & Sawyer's Location, Hart's Location and Crawford's Purchase;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the adoption of their amendment to the amendment made by the Senate to the resolution, directing the printing of the final report of the State Geologist."

On motion of Mr. Clark of Manchester—

*Resolved*, That Dr. Charles T. Jackson, State Geologist, be requested to address the House upon the subject of the Geological Survey of the State.

Dr. Jackson accordingly addressed the House upon the subject of said Survey.

It was moved that the House adjourn,

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

It was again moved that the House adjourn.

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, discharging the State Geologist from further duty in that capacity, except so far as is necessary to complete his final report of the Geology of the State, with an amendment, in which they ask the concurrence of the House.”

The House proceeded to the consideration of the foregoing resolution, with the amendment which came down from the Hon. Senate.

On the question,

Will the House concur with the Hon. Senate in the adoption of said amendment?

It was moved that the further consideration of the resolution and amendment be indefinitely postponed.

And the question being put,

No quorum was found voting, and the motion indefinitely to postpone said resolution and amendment did not prevail.

It was moved that the House adjourn.

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

It was again moved that the resolution and amendment relating to the discharge of the State Geologist from further duty in that capacity, except so far as is necessary to complete the publication of his final Report, be indefinitely postponed.

And the question being put,

It was decided in the negative.

So the House refused indefinitely to postpone said resolution and amendment.

On motion—

The House adjourned.

SATURDAY, JULY 1, 1843.

On motion of Mr. Smith of Bradford—

*Resolved*, That the rules of the House be so far suspended, that the reading of the Journal of yesterday be dispensed with.

The House proceeded to the consideration of the unfinished business of last evening, upon the resolution, discharging the State Geologist from further duty in that capacity except so far as is necessary to complete the publication of his final report.

The question being upon concurring with the Hon. Senate in the adoption of their amendment to said resolution,

And the question being put,

No quorum was found voting.

Mr. Noble offered an amendment to the amendment proposed by the Hon. Senate,

And the question being put,

It was decided in the negative.

So the amendment to the amendment was rejected.

The question recurring upon concurring with the Senate in the adoption of their amendment,

It was decided in the affirmative.

So the House concurred with the Senate in the adoption of their amendment to said resolution.

Mr. Poor of Landaff, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, a bill with the following title and the following resolutions, to wit:

"An act in addition to and in amendment of the Revised Statutes of the State of New Hampshire;"

A resolution authorizing the printing of the Geological and Mineralogical report;

A resolution authorizing the Governor to apply money for the education of the indigent deaf and dumb at Hartford;

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Wilson of Lee—

*Resolved*, That a committee of ten be appointed on the part of the House, with such as the Senate may join, to wait on His Excellency the Governor and inform him that the business of the present session being closed, both branches of the legislature are now ready to be adjourned to the last Wednesday of May next.

*Ordered*, That Messrs. Clarke of Atkinson, Wilson of Lee, Tilton, Cook, Scova of Andover, Dodge, Tudor, Little, Jenness and Perkins of Pittsburgh be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Poor, from the committee on Engrossed Bills, reported

that they had carefully examined and found correctly engrossed, a resolution relating to the Geological survey of the State,

Which was signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a joint select committee, to wait upon His Excellency the Governor and inform him that the business of the present session of the legislature being closed, both branches thereof are ready to be adjourned to the last Wednesday of May next, and have on their part joined Messrs. Swett, Pease and Morrill.”

Mr. Flint, from the committee on Engrossed Bills, reported that they had presented to His Excellency the Governor all the engrossed bills, resolutions and addresses, passed at the present session of the legislature.

Mr. Clarke of Atkinson, from the joint select committee, appointed to wait upon His Excellency the Governor and inform him that the business of the present session of the legislature being closed, both branches thereof are ready to be adjourned to the last Wednesday of May next, reported that they had attended to that duty.

The following message from His Excellency the Governor was received by the Secretary of State:

*“To the Senate and House of Representatives :*

I have approved all the acts and resolutions which you have passed at this session and presented for my consideration, and having been informed through your joint committee that the public business before you has been completed, and that you are ready now to be adjourned, I do therefore, by virtue of the authority in me vested, and in compliance with the request as communicated to me by your committee, adjourn this legislature to the last Wednesday of May next.

As this will undoubtedly be the last Executive communication I shall ever be called upon to make to any legislature, I cannot fail to recur to many of the events of my administration. Some of the measures recommended have awakened much interest among the people, and elicited an able and patriotic discussion among their representatives. It is to be hoped that the best interest of

the State will have been subserved by an adherence to the policy which I have thrice presented to the consideration of the Legislature. All, I trust, have been actuated in their course by a sense of public duty; and whatever differences of opinion may have arisen in the consideration of public measures, it should never lead to the formation of personal animosities.

We are sojourning here only for a short time, and we should so conduct in life as to meet the approbation of the Judge of all.

I shall ever hold each individual member of this legislature in the most kind and grateful remembrance. My best wishes will attend you individually through this life, and may each of you have a safe journey to your homes and a happy interview with your families and friends, and when our labors on earth shall be ended, may we all find peace and happiness in heaven.

HENRY HUBBARD.

Council Chamber, July 1, 1843."

The Speaker then declared the House adjourned to the last Wednesday of May next.

A. G. ALLEN, Clerk.

A true copy of the original record,

Attest—A. G. ALLEN, Clerk.

### ERRATA.

On the 6th page, 19th line from the top, 17th page, 31st line from the top, 83d page, 18th line from the top, 95th page, 19th line from the top, 123d page 5th line from the top, 137th page, 4th line from the top, 139th page, 17th line from the top, 146th page, 2d line from the bottom, 153d page, 9th line from the top, 171st page, 8th line from the top and the 189th page, 19th line from the top, read *Pattee* instead of *Patten*.

# APPENDIX.

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## REPORT

**Of the Warden, Physician and Chaplain of the  
N. H. State Prison.**

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## WARDEN'S REPORT.

*To the Hon. General Court, June Session, 1843:*

The Warden of the State Prison respectfully presents the following report of the financial operations of the institution, the number of convicts in confinement, with a general statement of its affairs, together with reports from the Chaplain and Physician annexed, for the year closing April 30th, 1843.

### INCOME

*From April 30, 1842, to April 30, 1843.*

### SHOE SHOP.

|                                     |             |            |
|-------------------------------------|-------------|------------|
| By receipts and charges,            | \$1,863 42. |            |
| “ stock and tools, April 30, 1843,  | 194 77      |            |
|                                     | <hr/>       | \$2,058 19 |
| To stock and tools, April 30, 1842, | 278 19      |            |
| “ tools and stock since purchased,  | 126 67      |            |
|                                     | <hr/>       | \$404 86   |
|                                     | <hr/>       |            |
| Profit,                             |             | \$1,653 33 |

## CABINET SHOP.

|                                     |            |                  |
|-------------------------------------|------------|------------------|
| By receipts and charges,            | \$2,618 56 |                  |
| " stock and tools, April 30, 1843,  | 1,928 87   |                  |
|                                     | <hr/>      | \$4,547 43       |
| To stock and tools, April 30, 1842, | \$1,774 37 |                  |
| " tools and stock since purchased,  | 208 73     |                  |
|                                     | <hr/>      | \$1,983 10       |
| Profit,                             |            | <hr/> \$2,564 33 |

## SMITH SHOP.

|                                     |            |                  |
|-------------------------------------|------------|------------------|
| By receipts and charges,            | \$3,488 20 |                  |
| " stock and tools, April 30, 1843,  | 1,325 16   |                  |
|                                     | <hr/>      | \$4,813 36       |
| To stock and tools, April 30, 1842, | \$1,325 16 |                  |
| " tools and stock since purchased,  | 682 85     |                  |
|                                     | <hr/>      | \$2,008 01       |
| Profit,                             |            | <hr/> \$2,805 35 |

## PROFIT AND LOSS.

|                         |                  |
|-------------------------|------------------|
| By balance of account,  | \$162 96         |
| Total amount of income, | <hr/> \$7,165 99 |

## EXPENDITURES

*From April 30, 1842, to April 30, 1843.*

## EXPENSE ACCOUNT.

|  |            |                  |
|--|------------|------------------|
| To stock, April 30, 1842,  | \$1,333 44 |                  |
| " pay of Deputy Warden, Physician,<br>Chaplain, watchmen, fuel, &c. &c., | 3,317 87   |                  |
|  | <hr/>      | \$4,651 31       |
| By stock, April 30, 1843,  | \$1,258 63 | \$1,258 63       |
| Expended,  |            | <hr/> \$3,392 68 |

## PROVISIONS.

|                           |          |                  |
|---------------------------|----------|------------------|
| To stock, April 30, 1842, | \$575 00 |                  |
| “ stock since purchased,  | 2,174 87 |                  |
|                           | <hr/>    | \$2,749 87       |
| By sundries sold,         | \$14 00  |                  |
| “ stock, April 30, 1843,  | 504 12   |                  |
|                           | <hr/>    | \$518 12         |
| Expended,                 |          | <hr/> \$2,231 75 |

## CLOTHING AND BEDDING.

|                            |          |                |
|----------------------------|----------|----------------|
| To stock, April, 30, 1842, | \$482 47 |                |
| “ stock since purchased,   | 604 71   |                |
|                            | <hr/>    | \$1,087 18     |
| By sundries sold,          | \$13 86  |                |
| “ stock, April 30, 1843,   | 637 34   |                |
|                            | <hr/>    | \$651 20       |
| Expended,                  |          | <hr/> \$435 98 |

## STEAM ENGINE ACCOUNT.

|                                    |          |                |
|------------------------------------|----------|----------------|
| To wood, &c, since April 30, 1842, |          | \$1,083 64     |
| By wood, April 30, 1843,           | \$100 00 |                |
| “ receipt and charges,             | 755 00   |                |
|                                    | <hr/>    | \$855 00       |
| Expended,                          |          | <hr/> \$228 64 |

## REPAIRS AND IMPROVEMENTS.

|   |         |
|---|---------|
| To cash expended in repairs and improvements, | \$70 03 |
|---|---------|

## INTEREST ACCOUNT.

|                              |                  |
|------------------------------|------------------|
| To balance interest account, | \$68 55          |
| Total expenditures,          | <hr/> \$6,427 63 |

## RECAPITULATION OF INCOME AND EXPENSES.

|                             |            |
|-----------------------------|------------|
| Received from cabinet shop, | \$2,564 33 |
| “ “ shoe shop,              | 1,653 33   |

|   |            |             |
|---|------------|-------------|
| Received from smith shop,   | 2,805 35   |             |
| “ “ profit and loss,  | 162 98     |             |
|   | <hr/>      | \$7,185 99  |
| Expended—To expense account,  | \$3,392 68 |             |
| “ provisions,   | 2,231 75   |             |
| “ clothing and bedding,   | 435 98     |             |
| “ rep's and improvements,   | 70 03      |             |
| “ steam engine account,   | 228 64     |             |
| “ interest account,   | 68 55      |             |
|   | <hr/>      | \$6,427 63  |
| Excess of income over expenditure,  |            | \$758 36    |
| Amount of stock account, April 30, 1843,  |            | \$18,572 80 |
| Consisting as follows :   |            |             |
| Amount of old property on hand and inventoried at reduced prices, and old debts considered worthless, | \$5,519 23 |             |
| Provisions, new clothing and bedding, tools, machinery, &c. &c. &c.,                                  | 5,948 89   |             |
| Amount due on note,   | 641 31     |             |
| Balance of book account,  | 6,004 82   |             |
| Cash on hand, April 30, 1843,   | 458 55     |             |
|   | <hr/>      | \$18,572 80 |

## CASH RECEIVED AND PAID.

*From April 30, 1842, to April 30, 1843.*

*Received*

|  |            |            |
|--|------------|------------|
| From April 30, 1842, to July 31, 1842, | \$2,513 65 |            |
| “ July 31, 1842, to Oct. 31, 1842,     | 1,743 88   |            |
| “ Oct. 31, 1842, to Jan. 31, 1843,     | 1,986 53   |            |
| “ Jan. 31, 1843, to April 30, 1843,    | 2,603 94   |            |
|  | <hr/>      | \$8,848 00 |

*Paid*

|  |            |            |
|--|------------|------------|
| From April 30, 1842, to July 31, 1842, | \$2,316 10 |            |
| “ July 31, 1842, to Oct. 31, 1842,     | 2,111 02   |            |
| “ Oct. 31, 1842, to Jan. 31, 1843,     | 2,256 83   |            |
| “ Jan. 31, 1843, to April 30, 1843,    | 1,705 50   |            |
|  | <hr/>      | \$8,389 45 |
| Cash balance, April 30, 1843,          |            | \$458,55   |

## STATEMENT OF CONVICTS.

|   |    |     |
|---|----|-----|
| Number of convicts, April 30, 1842,       | 92 |     |
| “ since received,                         | 28 |     |
|   | —  | 120 |
| Discharged by expiration of sentence,     | 17 |     |
| “ by pardon,                              | 4  |     |
| Died,                                     | 0  |     |
| Escaped,                                  | 0  |     |
| Total,                                    | —  | 21  |
| Remaining in confinement, April 30, 1843, |    | 99  |

## EMPLOYMENT.

|                        |           |    |
|------------------------|-----------|----|
| Shoe shop,             | - - - - - | 27 |
| Cabinet shop           | - - - - - | 24 |
| Smith shop             | - - - - - | 28 |
| Enginemen and firemen, | - - - - - | 2  |
| Cooks,                 | - - - - - | 2  |
| Hall sweeper,          | - - - - - | 1  |
| Tailors and washers,   | - - - - - | 3  |
| Lumpers,               | - - - - - | 2  |
| Waiters in shop,       | - - - - - | 3  |
| Insane and idiotic,    | - - - - - | 2  |
| Aged and one-arm       | - - - - - | 2  |
| Hospitals,             | - - - - - | 2  |
| Female,                | - - - - - | 1  |
|                        |           | —  |
| Total,                 | - - - - - | 99 |

## CRIMES OF CONVICTS NOW IN CONFINEMENT.

|                    |           |    |
|--------------------|-----------|----|
| Stealing,          | - - - - - | 44 |
| Stealing horses,   | - - - - - | 13 |
| Stealing sheep,    | - - - - - | 3  |
| Stealing oxen,     | - - - - - | 1  |
| Forgery,           | - - - - - | 4  |
| Storebreaking,     | - - - - - | 4  |
| Burglary,          | - - - - - | 5  |
| Rape,              | - - - - - | 3  |
| Attempt at rape,   | - - - - - | 2  |
| Arson and burning, | - - - - - | 8  |
| Murder, 2d degree, | - - - - - | 3  |

|                            |   |   |   |   |   |    |
|----------------------------|---|---|---|---|---|----|
| Attempt to murder,         | - | - | - | - | - | 3  |
| Manslaughter,              | - | - | - | - | - | 2  |
| Passing counterfeit bills, | - | - | - | - | - | 2  |
| Passing counterfeit coin,  | - | - | - | - | - | 2  |
| Total,                     | - | - | - | - | - | 99 |

## SENTENCE.

|              |   |   |   |   |   |    |
|--------------|---|---|---|---|---|----|
| During life, | - | - | - | - | - | 15 |
| 22 years,    | - | - | - | - | - | 1  |
| 15 "         | - | - | - | - | - | 2  |
| 14 "         | - | - | - | - | - | 1  |
| 12 "         | - | - | - | - | - | 1  |
| 10 "         | - | - | - | - | - | 5  |
| 9 "          | - | - | - | - | - | 1  |
| 8 "          | - | - | - | - | - | 3  |
| 7 "          | - | - | - | - | - | 9  |
| 6 "          | - | - | - | - | - | 5  |
| 5 "          | - | - | - | - | - | 23 |
| 4 "          | - | - | - | - | - | 10 |
| 3 "          | - | - | - | - | - | 17 |
| 2 "          | - | - | - | - | - | 6  |
| Total,       | - | - | - | - | - | 99 |

## NATIVES OF

|                |   |   |   |   |   |    |
|----------------|---|---|---|---|---|----|
| New Hampshire, | - | - | - | - | - | 62 |
| Massachusetts, | - | - | - | - | - | 12 |
| Maine,         | - | - | - | - | - | 7  |
| Vermont,       | - | - | - | - | - | 7  |
| New York,      | - | - | - | - | - | 2  |
| Canada,        | - | - | - | - | - | 2  |
| Europe,        | - | - | - | - | - | 7  |
| Total,         | - | - | - | - | - | 99 |

## AGES WHEN COMMITTED.

|                      |   |   |   |   |   |    |
|----------------------|---|---|---|---|---|----|
| From 10 to 20 years, | - | - | - | - | - | 14 |
| " 20 to 30 years,    | - | - | - | - | - | 44 |
| " 30 to 40 years,    | - | - | - | - | - | 21 |
| " 40 to 50 years,    | - | - | - | - | - | 9  |

|                      |   |   |   |   |   |    |
|----------------------|---|---|---|---|---|----|
| From 50 to 60 years, | - | - | - | - | - | 7  |
| " 60 to 70 years,    | - | - | - | - | - | 3  |
| " 70 to 80 years,    | - | - | - | - | - | 1  |
| Total,               | - | - | - | - | - | 99 |

The twenty-eight convicts received the past year, were convicted in the counties, as follows, viz :

|               |   |   |   |   |   |    |
|---------------|---|---|---|---|---|----|
| Coos,         | - | - | - | - | - | 0  |
| Belknap,      | - | - | - | - | - | 1  |
| Carroll,      | - | - | - | - | - | 1  |
| Strafford,    | - | - | - | - | - | 1  |
| Cheshire,     | - | - | - | - | - | 2  |
| Sullivan,     | - | - | - | - | - | 3  |
| Merrimack,    | - | - | - | - | - | 3  |
| Grafton,      | - | - | - | - | - | 3  |
| Rockingham,   | - | - | - | - | - | 6  |
| Hillsborough, | - | - | - | - | - | 8  |
| Total,        | - | - | - | - | - | 28 |

### DISCHARGED AND PARDONED.

| <i>Names.</i>  | <i>Committed.</i> | <i>Sentence.</i>     | <i>Discharged.</i> |
|----------------|-------------------|----------------------|--------------------|
| 1. Switzer,    | May 11, 1837,     | five years,          | May 11, 1842.      |
| 2. Gage,       | May 15, 1839,     | three years,         | May 15, 1842.      |
| 3. Ramsbottom, | Aug. 10, 1840,    | two years, 10 days,  | Aug. 20, 1842.     |
| 4. Perry,      | Aug. 30, 1839,    | three years,         | Aug. 30, 1842.     |
| 5. Chandler,   | Sept. 8, 1832,    | ten years,           | Sept. 8, 1842.     |
| 6. Dalton,     | Sept. 18, 1840,   | two years, 10 days,  | Sept. 28, 1842.    |
| 7. Pease,      | Oct. 13, 1836,    | six years,           | Oct. 13, 1842.     |
| 8. Hildreth,   | Nov. 11, 1840,    | two years,           | Nov. 11, 1842.     |
| 9. Wescott,    | Nov. 11, 1840,    | two years,           | Nov. 11, 1842.     |
| 10. Kenniston, | Jan. 25, 1839,    | four years,          | Jan. 25, 1843.     |
| 11. Nutt,      | Jan. 31, 1838,    | five years,          | Jan. 31, 1843.     |
| 12. Patterson, | Feb. 6, 1840,     | three years,         | Feb. 6, 1843.      |
| 13. Townsend,  | Feb. 10, 1838,    | five years,          | Feb. 10, 1843.     |
| 14. Slavin,    | Feb. 15, 1841,    | two years,           | Feb. 15, 1843.     |
| 15. Peverly,   | Feb. 27, 1841,    | two years,           | Feb. 27, 1843.     |
| 16. Tetherly,  | Feb. 28, 1840,    | three years,         | Feb. 28, 1843.     |
| 17. Hitchins,  | Feb. 28, 1840,    | three years, 6 days, | March 6, 1843.     |

|             |                 |                      |                  |
|-------------|-----------------|----------------------|------------------|
|             |                 |                      | <i>Pardoned.</i> |
| 1. Place,   | May 26, 1839,   | five years,          | May 13, 1842.    |
| 2. Crowell, | Sept. 21, 1840, | two years,           | June 15, 1842.   |
| 3. Tandy,   | Sept. 1, 1841,  | two years, 10 days,  | Jan. 9, 1843.    |
| 4. Boody,   | Feb. 6, 1840,   | six years, 10, days, | Jan. 9, 1843.    |

## NAMES AND CRIMES OF CONVICTS UNDER SENTENCE FOR LIFE.

| <i>Names.</i>          | <i>Committed.</i> | <i>Crime.</i> |
|------------------------|-------------------|---------------|
| 1. Robert Martin.      | April 26, 1827.   | Burglary.     |
| 2. Joseph P. Judkins.  | Aug. 26, 1831.    | Manslaughter. |
| 3. Charles L. Hillier. | Feb. 11, 1835.    | Rape.         |
| 4. Jedediah Howard.    | Oct. 15, 1835.    | Burglary.     |
| 5. Wm. S. Bowles.      | Aug. 31, 1838.    | Arson.        |
| 6. John Jones.         | Jan. 25, 1839.    | Burglary.     |
| 7. Lucien Huntress.    | Sept. 21, 1839.   | Burglary.     |
| 8. George Damon.       | Oct. 17, 1840.    | Rape.         |
| 9. Bradbury Ferguson.  | Feb. 27, 1841.    | Murder.       |
| 10. John Putnam.       | March 25, 1841.   | Arson.        |
| 11. Elias Thomas.      | April 7, 1841.    | Murder.       |
| 12. Richard Bean.      | Sept. 18, 1841.   | Murder.       |
| 13. Parker Paul.       | Sept. 24, 1842.   | Rape.         |
| 14. John Hicks Day.    | Oct. 26, 1842.    | Arson.        |
| 15. Daniel Chandler.   | March 25, 1843.   | Burglary.     |

## A TABULAR VIEW

Of the number of convicts now in Prison, discharged, escaped, or died, from 1812 to this date.

| A. D. | In Prison. | Committed. | Discharged. | Pardoned. | Died. | Escaped. |
|-------|------------|------------|-------------|-----------|-------|----------|
| 1812  | 1          | 1          |             |           |       |          |
| 1813  | 12         | 11         |             |           |       |          |
| 1814  | 22         | 14         | 4           |           |       |          |
| 1815  | 23         | 13         | 5           | 2         |       | 5        |
| 1816  | 48         | 31         | 5           | 1         |       |          |
| 1817  | 59         | 29         | 13          | 3         | 1     | 1        |
| 1818  | 69         | 26         | 16          |           |       |          |
| 1819  | 62         | 17         | 20          | 1         | 1     | 2        |
| 1820  | 61         | 18         | 15          | 2         | 2     |          |
| 1821  | 65         | 23         | 15          | 2         | 2     |          |
| 1822  | 57         | 16         | 19          | 2         | 3     |          |
| 1823  | 66         | 26         | 11          | 5         | 1     |          |
| 1824  | 62         | 19         | 17          | 5         | 1     |          |
| 1825  | 66         | 24         | 13          | 3         | 2     | 2        |
| 1826  | 59         | 13         | 15          | 4         | 1     |          |
| 1827  | 48         | 12         | 14          | 7         | 2     |          |
| 1828  | 56         | 20         | 8           | 4         |       |          |
| 1829  | 50         | 11         | 9           | 7         | 1     |          |
| 1830  | 68         | 31         | 9           | 4         |       |          |
| 1831  | 81         | 24         | 8           | 3         |       |          |
| 1832  | 82         | 19         | 10          | 6         | 1     | 1        |
| 1833  | 81         | 16         | 8           | 9         |       |          |
| 1834  | 79         | 13         | 4           | 11        |       |          |
| 1835  | 78         | 23         | 6           | 16        |       | 2        |
| 1836  | 86         | 21         | 8           | 4         | 1     |          |
| 1837  | 72         | 12         | 15          | 10        | 1     |          |
| 1838  | 70         | 5          | 4           | 3         |       |          |
| 1839  | 73         | 30         | 10          | 15        | 2     |          |
| 1840  | 78         | 24         | 4           | 14        | 1     |          |
| 1841  | 84         | 28         | 13          | 7         | 2     |          |
| 1842  | 92         | 20         | 9           | 3         |       |          |
| 1843  | 99         | 28         | 17          | 4         |       |          |
|       |            | 618        | 324         | 157       | 25    | 13       |

In confinement, April 30, 1843, 99.

As I have noticed more in detail, by the foregoing statement and accounts, it will be seen that the income of the Prison for the year closing April 30th, 1843, has been seventy-one hundred eighty-five dollars ninety-nine cents, and the expenses, sixty-four hundred twenty-seven dollars sixty-three cents; giving a surplus of income over expenditures of *seven hundred fifty-eight dollars thirty-six cents*, which has been carried to the *stock* account.

The cash receipts have been \$8,848 00 and the cash expenditures \$8,399 45, leaving a balance on hand of \$458 55.

I am exceedingly pleased with the *results* of the operations of the Prison for the past twelve months, feeling confident it can but carry conviction to the mind of every candid man, that so long as proper care and economy is exercised, this institution will be a source of revenue to the State rather than a tax.

The contracts existing at the last Session are still in force.

Good order and quiet attention to labor have been strikingly manifested by the convicts during the whole year: the discipline has been maintained with a *very* trifling amount of punishment, fully proving that it is *not* the *severity* but the *certainly* of being disciplined, that induces the convicts to yield full obedience to the rules and regulations made for their government.

We have had no deaths during the year, and it is a remarkable fact, that nearly two and a half years have elapsed since there has been a death among the inmates of the Prison. Their health has been generally good. The report of the Physician is quite full and explicit upon this subject, to which I would respectfully refer.

The Chaplain, in his report, makes mention of the means now authorized to be used for the instruction and moral improvement of the convicts, as being *insufficient* to secure that improvement in knowledge which will allow us to hope for the actual reformation, every man can but wish might be effected in these our degraded and unfortunate fellow mortals. I entirely coincide with him in these views. The means are, and have been for years, entirely insufficient—much less than in any other similar institution in the country; and I would recommend that a sum be allowed the Chaplain from the funds of the Prison, sufficient to enable him to devote *all* of the Sabbath in imparting to the inmates of this institution that knowledge they so much require.

In conclusion, I would again take occasion to notice the efficient and attentive manner with which the Deputy Warden, Mr.

Pillsbury, and other officers of the Prison, have discharged their various and responsible duties.

Respectfully submitted.

L. COOLIDGE, Warden.

N. H. State Prison, April 30, 1843.

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## PHYSICIAN'S REPORT.

*To the Hon. Board of Directors of the N. H. State Prison.*

GENTLEMEN: The close of another official year makes it my duty to report to your Board the state of health at the Prison during the year. The convicts have, on the whole, been healthy, although there has been more sickness this year than last. No epidemic, however, has prevailed, and no particular disease has been sufficiently prevalent or prominent to require special notice.

The number of convicts, as will appear by the Warden's Report, is 99—their ages ranging from 13 to 76—all heretofore addicted to vicious and irregular habits, and most of them intemperate: yet, among such a class of men, not a death has occurred during the last twenty-six months—a fact somewhat remarkable in penitentiary statistics, although at a former period there was no death at this Prison for three successive years. These results strikingly illustrate the truth of a remark made in my report of last year, in relation to the *healthful* influence of regular labor, regular hours, and plain nutritious diet. But take a more extended period, and the general result will still be found highly satisfactory. It appears from the Prison records, that during the past 16 years the average number of convicts has been 77—aggregate years of confinement during this period, 1240—whole number of deaths 9—making the rate of mortality somewhat less than three fourths of one per cent., or in the proportion of 1 to 138. In 9 of the above-mentioned 16 years, there was not a single case of mortality.

This, I apprehend, is at least as favorable a result as can be exhibited by the records of any penitentiary in the country. Indeed, it will well compare in this respect with most of our healthy New England towns. In the town of Concord, for instance, the average number of deaths for the last 13 years has been 61 annually, which is in the proportion of 1 to 73 of the population; or,

if we deduct from the deaths and the population all under 10 years of age, 1 to 89.

In connexion with the foregoing statistics, it is worthy of remark, that only *two* females have been sent to the penitentiary for the last 17 years.

Respectfully submitted.

E. CARTER, M. D.

Concord, April 30, 1843.

### CHAPLAIN'S REPORT.

*To His Excellency the Governor and the Hon. Council, Directors of the New Hampshire State Prison.*

GENTLEMEN: The ordinary religious services have been regularly attended in the chapel during the past year. The convicts have uniformly listened to the preached word with respectful and often with fixed attention. It has been very gratifying to witness the perfect order and apparent solemnity manifested during our religious exercises. Probably there are but few congregations in the State, that give better attention to the exhibition of the truth, or manifest more apparent interest in religious services. And it is fondly hoped there are a few who are not hearers of the word only. And why may it not be so? Although convicts, are they not of the human family, children with us of the same common parent? And if degraded and lost in sin, did not the blessed Redeemer come from Heaven to seek the lost?—did he not shed his precious blood to cleanse the defiled? Why then should we despair of seeing such as these turn from their evil ways?—or why should we not expect, rather, that under a healthful discipline, and suitable moral and religious instruction, many of those on whom guilt has been found, would bring forth fruits meet for repentance? The same variety of disposition and propensity to evil, no doubt, exists inside the Prison walls as in community at large. While some may be more stubborn and less susceptible of moral impression, there are others entirely the reverse. There are those neglected by their parents, who have grown up in ignorance, having never enjoyed the privileges of the sanctuary, but neglected their bibles, and were suffered to run at large. Others could scarcely read when they were committed, and others of intemperate habits participated in crime, and found themselves here.

before they fully realized the course they were pursuing. Such now have time for reflection, for reading their bibles, except such as are hardly able to read, and hearing the gospel once on the Sabbath. Of such there is hope that many will reform. Many have often expressed their surprise that they had lived in so thoughtless and careless a manner, and also their gratitude that they have been arrested and brought into a situation where they can reflect, and are taught the truths of the gospel.

In relation to the means employed, it is a question worthy, perhaps, of consideration, whether the amount of instruction now provided by the State, will compare with what is done by other States for their penitentiaries, or is fully adequate to the wants and interests of the convicts. The great object in their confinement is two-fold, punishment for crime and reformation of character; and the last is certainly no less desirable than the first. And to secure both, the necessary and appropriate means must be employed. We have nearly one hundred convicts of all ages, from the youth in his teens to the man of grey hairs, comprising almost every description of character, many very ignorant, who must depend almost entirely on the advantages afforded within the Prison walls, for what knowledge they ever acquire; and the question naturally recurs, how much effort is required of the State for their improvement?

In conclusion, it is ardently hoped that this class of our fellow-men, while shut out from the world, justly to endure penal infliction for their past misdeeds, will not be forgotten by the philanthropist and the christian; but that the efforts and the prayers of both will be employed to secure a complete reformation of character, that the wanderer and the transgressor may be saved and rendered virtuous and happy.

Respectfully submitted.

EDMUND WORTH, Chaplain.

Concord, June 1, 1843.

## REPORTS

### **Of the Board of Visitors, Trustees and Superintendent of the New Hampshire Asylum for the Insane.**

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#### REPORT OF THE BOARD OF VISITORS.

CONCORD, JUNE 17, 1843.

*To the Senate and House of Representatives:*

The Board of Visitors have, since the commencement of the present session, visited "The New Hampshire Asylum for the Insane," and have examined into the condition of the patients, and the regulations and general management of the Asylum; and they do not perceive that any thing is wanting to carry "into full effect" the design of this humane institution, except a building apart and separate from the other buildings, and to be so thoroughly constructed as to afford a safe and secure place, exclusively for those raving and furious insane persons who may be placed at this Asylum. The Board were forcibly reminded of the importance of such a building, at their recent visit, by the appearance of a patient by the name of McCrillis. He was necessarily confined in the same wing of the hospital with other persons partially deranged. The presence and furious conduct of this unfortunate fellow being, must produce the most unfavorable influences upon those who are suffering partial, and (it is to be hoped) temporary delirium, through some morbid affection of the mind; and the very presence also of these partially insane persons, could not fail to add to the violence of McCrillis' madness. It occurs to the Board of Visitors that such a building is necessary for the full and perfect accomplishment of the humane purposes of this institution. And they would recommend that the State, at as early a time as may be convenient, should provide for the erection of such a building. In a communication made to the legislature in June, 1842, the Board of Visitors then suggested their views upon this subject, and the present Board do not perceive any reason for adding to the suggestions then made.

In the report of the Superintendent, "the regulations and general management of the Asylum" and "the condition of the patients" are correctly represented. And the Board of Visitors do

not hesitate to express their concurrence as to the general views expressed in the report of the Superintendent, as well as in the report of the Trustees.

All of which is respectfully submitted by the undersigned Board of Visitors.

Signed,

HENRY HUBBARD,  
ELIJAH R. CURRIER,  
SAMUEL G. BERRY,  
FRANCIS HOLBROOK,

TITUS BROWN, *President of the Senate*,  
SAMUEL SWASEY, *Speaker of the House of Rep's.*

## REPORT OF THE TRUSTEES.

*To the Honorable Legislature  
of the State of New Hampshire:*

The Trustees of the New Hampshire Asylum for the Insane respectfully present to the legislature, a statement of the amount of their expenditures since their last report, together with the amount of indebtedness of the Asylum, and the state of its funds. They also present the report of the Superintendent, which relates particularly to the reception of patients and their treatment.

|  |                   |
|--|-------------------|
| Amount expended in completing the hospital and barn, since last June, erecting wash house, furnishing water by an aqueduct, fitting up cisterns, wharfing up about the hospital and barn, and other incidental expenses, | \$7685.92         |
| Amount expended for furniture, farming tools, stock and manure,  | 2180.64           |
| Amount expended for provisions,  | 1051.66           |
| Amount expended for fuel,  | 214.94            |
| Amount expended for Superintendent's salary, nurses and attendants, and some labor on the farm,  | 1364.43           |
| Amount expended for medicine, lamp oil, and other miscellaneous expenses,  | 136.15            |
| <b>Total,</b>  | <b>\$12633.74</b> |

|  |        |           |
|--|--------|-----------|
| Of the above sum there has been paid by receipts from  |        |           |
| board of patients,   |        | \$1124.63 |
| From other funds of the hospital,  |        | \$8123.93 |
|  | Total, | \$9248.56 |
| Amount due from the Asylum,  |        | \$3386.28 |
| Amount of available funds in the Treasurer's hands,  |        |           |
| consisting almost entirely of notes, secured by mortgage and bank stock,   |        | \$2048.21 |
| Amount due the hospital from board of patients,  |        | \$900.00  |
| Amount expected to be realized, according to information recently obtained, from the bank stock at Portsmouth, above the par value already paid, |        | 600.00    |
|  | Total, | \$3548.21 |
| From the above deduct the amount of indebtedness,  |        | \$3386.28 |
| viz.   |        |           |
| And it leaves a nominal balance in favor of the Asylum of  |        | \$161.93  |

The large number of patients admitted within the seven months during which the institution has been opened, being seventy-six, proves its necessity and importance. Within this short period it has removed from the hands and feet of the insane, many a manacle and chain; it has furnished for many who were previously suffering all that it was possible for human beings to suffer, a pleasant retreat, where they have enjoyed all the liberty and comfort which their condition would admit; and last, though not least, it has restored husbands to wives, and wives to husbands, children to parents, and parents to children, who might otherwise have dragged out a miserable existence in incurable insanity—been a source of misery to their friends and relations, and a burthen to their connections, or the counties and towns which might be liable for their support. It is a source of great gratification, and somewhat remarkable, (considering that we have no strong rooms for the more violent insane,) that no severe injury has occurred to any patient or person connected with the institution. A greater degree of health, comfort and success, in every point of view, has attended the institution than was anticipated by its most sanguine friends, and affords the best encouragement to all interested in this benevolent enterprise. The Trustees have ever found, in their visits to the institution, that the internal policy and management

of the Asylum were worthy of all praise. The neatness and good order which every where prevailed, the cheerfulness and comfort exhibited by the inmates, and the general appearance of the Asylum, have evinced an efficiency, zeal and humanity in the Superintendent, Dr. George Chandler, which proves him to be admirably adapted to the performance of his arduous and responsible duties.

When the amount of suffering which this institution has already, in so short a time, alleviated, is considered—the number of valuable and talented members of society it is destined, with proper encouragement, to restore to usefulness, who would otherwise be exhibiting all the horrors of madness rolling through the brain—it cannot be that good and honest hearts will feel indifferent to this noblest of all charities. We commend it to all those who love their fellow-men and seek the honor and best interest of the State—to all “who would do unto others as they would that others should do unto them”—to all who can feel the force of the sentiment, “I was sick and in prison and ye visited me.”

It is the object of the institution to extend its benefits and advantages to the necessities of every class of this State, at as low a rate as its means of support and existence will allow, the only wish being to obtain barely sufficient funds to pay its current expenses. The price of board will accordingly depend, in a measure, upon the amount of donations it may receive from the benevolent and the aid furnished by the State.

The legislature, for a number of years past, has made liberal provisions for the deaf and dumb and blind, with the approbation of all our citizens. The insane are a far more numerous class, and probably there are at least twenty insane persons to one who is deaf, dumb or blind. It has been well said, that there is not an argument in favor of providing for the deaf, dumb or blind, that will not apply with tenfold greater force in favor of the insane. A deaf, dumb or blind person is not necessarily unhappy or a burden to his friends. Most of them can amply support themselves. But with the insane, his disease shuts him out from all enjoyment. The family with which he is connected, experience the most poignant sensations of grief and anxiety, and frequently are exposed to the greatest dangers. Whatever may be done by the legislature for the deaf, dumb or blind, they cannot be restored to the full possession of all their faculties, while the insane may be. Whatever funds the legislature may appropriate for the benefit of the insane, remain permanent in our own State, of the benefits of which the insane of the future generations can partake as well as those of the present time. It cannot be that the same

people, the same legislature, will, with but one feeling and spirit, open their hands so liberally to one unfortunate class of our fellow-citizens, and shut them to another class who cannot speak for or protect themselves, and who, to say the least of it, are equally deserving.

We are in hopes the time will soon arrive, when the price of board can be reduced, consistently with the safety and interests of the institution. The price now charged, is two dollars fifty cents per week for patients out of the State, and two dollars twenty-five cents for those in the State. For this sum they are furnished with board, washing, mending of their clothes, fuel and lights, medicine for the sick, the services of experienced and faithful nurses and attendants, the constant attention and watchfulness of the physician, means of riding and other exercise and amusement, together with the use of the spacious buildings and halls and walks, so well adapted to their restoration. The male patients, as soon as they become sufficiently calmed, are employed about the farm and in the shops, &c. The females are pleasantly and usefully engaged in knitting and different kinds of needle-work. A large number of articles of clothing and bedding have been made by the females of the Asylum. With the help of the males, the farm and grounds in a few years will doubtless be much improved. The employment of the insane insures a double purpose—that of contributing to the support of the institution and to their recovery.

The Trustees would respectfully call the attention of the legislature to the subject of exempting the attendants of the Asylum from performing military duty. We ask no exemption for any except those whose exclusive duty it is to attend upon the patients. If we could supply their places by temporary substitutes, we would not make the request. Their situation is one which a person unacquainted with its duties, can but poorly perform.

All of which is respectfully submitted by the undersigned.

JOHN CONANT,  
JOHN H. STEELE,  
GEO. W. KITTREDGE,  
IRA ST. CLAIR,  
CHARLES J. FOX,  
MOSES NORRIS, JR.,  
ENOS STEVENS,  
JOSEPH LOW,  
JOSIAH STEVENS, JR.,  
C. H. PEASLEE,

Trustees of the  
New Hampshire  
Asylum  
for the Insane.

## REPORT OF THE SUPERINTENDENT.

*To the Trustees of the N. H. Asylum for the Insane.*

GENTLEMEN:

On the 28th of October, 1842, the Asylum was so far completed and furnished that one man and myself staid over night in the establishment; and the next day a very violent and noisy man was brought to us. From that time patients have come in as fast as we have been prepared to receive them.

There have been admitted since Oct. 28th, 1842,

|  |    |    |
|--|----|----|
| Males,                                     | 39 |    |
| Females,                                   | 37 | 76 |
| Recent cases—deranged less than one year,  |    |    |
| Males,                                     | 20 |    |
| Females,                                   | 18 | 38 |
| Chronic cases—deranged more than one year, |    |    |
| Males,                                     | 19 |    |
| Females,                                   | 19 | 38 |
|  |    | 76 |

Remaining May 31st, 1843,

|          |    |
|----------|----|
| Males,   | 27 |
| Females, | 20 |
|          | 47 |

*Patients discharged.*

|          | No. of each sex. | Recovered. | Improved. | Not Improved. | Died. |
|----------|------------------|------------|-----------|---------------|-------|
| Males,   | 12               | 6          | 5         | 1             | 0     |
| Females, | 17               | 6          | 5         | 5             | 1     |
| Total,   | 29               | 12         | 10        | 6             | 1     |

It must be considered fortunate that so many—six of each sex—have recovered during the short time the institution has been opened. The friends of patients are often too solicitous to remove them before their entire recovery. All, or nearly all, of the ten reported as “Improved,” would have recovered had they remained longer with us. The friends are liable on visiting them to be deceived in their calmness and serenity in the Asylum, away from the cares of business and the scenes that produced their disease; and they run great hazards of bringing on a relapse, in taking them to the same trials again before the mind has become strong.

I have recommended the removal of only three: the others have

been called for by their friends before I thought it perfectly prudent for them to leave the Asylum; but subsequent to their return, we received information that they were fortunate enough to escape a relapse and to engage in their former duties of life.

From those who were taken away as "Improved" and convalescing, we have favorable accounts.

Of those not "Improved," one was so calm and had such unequivocal symptoms of consumption, that the husband was advised to remove her. But most of the others were taken away for the want of means to support them at the institution.

Two went home on trial or visits, and becoming more excited, have returned to us again.

There has been one death. It occurred in a female aged 63, of a strongly marked nervous temperament and highly cultivated intellect, acutely sensitive to all the delicate and social feelings, of unobtrusive benevolence and charity. Several members of her family have died with affections of the brain and nervous system. She had been for years in feeble health, and in winter had been afflicted with a cough so severe that her physicians feared organic changes had taken place in the lungs. There had been noticed for some years, a slight depression in the bone on the posterior and superior portion of the skull. In October, 1842, this cavity had obtained the size of an inch in width and more than that in length, and perhaps a line deep, and it appeared to be rapidly increasing. About this time she complained of pain in the top of her head, attended with heat, and being restless nights. She said to her family that "during the night she had beautiful thoughts, and wished she could have pen and ink by her to write them down." A change took place in her conversation and manners about this time. She would tell her neighbors all the naked truth about them, even if it wounded their feelings, and would remind them of their faults. This was a great departure from her former conciliatory disposition.

She had always been abstemious in her mode of living, and of late had partaken almost wholly of a mild vegetable diet. She now became very fastidious.

Her family gratified all her wishes and commands until the house was in confusion. She felt very much hurried and engaged in business. She required all her drawers of clothing and trunks to be brought into her room to arrange them. And, as she complained of the effects of light upon her eyes, no fire could be kept at times in the room. Her mind was exercised with strange delusions and revelations.

For some days before she was brought to us, she had almost

entirely refused food. When she arrived at the Asylum, she was noisy, commanded one to do this and another that; called for food, and when brought, would not receive it; clung to her clothes for fear of losing them; and was very much emaciated, and feeble, unless excited.

For several days and nights this state of mind continued, but as the excitement passed off she became more calm and quiet. After the first week she had none of the violent cough with which she before had been afflicted. Her breathing was ever after gentle and easy. Her pulse after the excitement left her, was natural in force and frequency until the last. Very little medicine was given her, except mild cathartics, as it was said that narcotics given her before coming under our care, stupified and disturbed without calming the nervous system.

One or more of her children were with her the last three weeks of her life, to administer to her wants. For many days liquids only could be taken. There was scarcely an effort at waking up the mind at the close of life, as the physical powers sank down and wasted away with marasmus.

After the body was carried to the friends, the following account of an examination of the remains was sent to us :

“ A circular portion of the cranium was removed, involving a part of the parietal, occipital and temporal bones,—scalp exceedingly thin,—a firm adhesion of the dura mater to the superior and posterior part of the cranium,—no protuberance upon the inner surface of the cranium corresponding with the depressions upon the outer. The bone thinner at those parts exhibiting some discoloration. Upon the inner surface of the dura mater were found a number of bony deposites, varying in size and form, the largest about an inch in length and a line in diameter, situated between the anterior lobes of the brain. A large quantity of lymph was thrown out from the pia mater over the superior and posterior parts of the brain. The blood vessels adjoining this part very much engorged.

That part of the brain already alluded to was very much hardened.

The lungs were found to be in a healthy condition, with the exception of some tuberculous deposites in the upper portions.

The above are the principal indications of disease that fell under our observations.”



|                                |   |   |   |   |   |          |     |
|--------------------------------|---|---|---|---|---|----------|-----|
| <b>Domestic affliction,</b>    |   |   |   |   |   |          |     |
| Males,                         | - | - | - | - | - | 2        |     |
| Females,                       | - | - | - | - | - | 1        | —3  |
| <b>Taking cold,</b>            |   |   |   |   |   |          |     |
| Males,                         | - | - | - | - | - | 2        |     |
| Females,                       | - | - | - | - | - | 0        | —2  |
| <b>Hard study,</b>             |   |   |   |   |   |          |     |
| Males,                         | - | - | - | - | - | 1        |     |
| Females,                       | - | - | - | - | - | 1        | —2  |
| <b>Disappointed affection,</b> |   |   |   |   |   |          |     |
| Males,                         | - | - | - | - | - | 0        |     |
| Females,                       | - | - | - | - | - | 2        | —2  |
| <b>Unknown,</b>                |   |   |   |   |   |          |     |
| Males,                         | - | - | - | - | - | 7        |     |
| Females,                       | - | - | - | - | - | 11       | —18 |
| <b>Total,</b>                  |   |   |   |   |   | <hr/> 76 |     |

The most prominent cause of insanity, as far as the friends know and assign to us, is connected with religious excitement. By our records it appears that twenty-one have been rendered insane by this cause. The proportion of each sex, thirteen males to eight females, it will be noticed, does not correspond with the preconceived notions of most people upon this subject.

The community at large has, during the past year, been unusually agitated upon this subject. And the recent views of the government and dealings of the mysterious and all-wise God with man, promulgated by their zealous advocates, have taken strong hold of the feelings and distracted the settled religious principles of a large share of society. The honest believer, in his joy at the near approach of his translation to a happier and more glorious state, has too often neglected, until he has lost sight of, the common duties of life. No one, as far as I have seen, of those who truly believed in the speedy coming of Christ, has been made sad or melancholy. Some patients who have been disturbed and perplexed by these startling theories, and yet have doubts and fears of their reality, come to us sad and desponding.

The believers are joyful and confident, but those who doubt are sorrowful and timid. Those who believe and who continue in their belief after coming here, manifest all the hope and confidence such inspiring anticipations are calculated to produce. They sing and pray aloud for the coming day. They exhort others to be ready to go with them, or denounce them for their

unbelief, with all the pains and penalties their minds can conjure up. A large proportion of the ten cases from this form of religious excitement, imagine themselves some superior beings, as Jesus Christ or the Almighty.

All whose insanity was produced by this cause, have, on getting well, renounced their belief in it.

One who fancied himself Jesus Christ during his excitement, said after his recovery that he "became insane from attending so closely to this one subject of investigating the truth of the Miller doctrine for so long a time." He had devoted his whole time for three months to reading his Bible and attending the meetings.

The number who have become insane from the doubts and apprehensions in regard to a correct religious life, and the means to be used to secure happiness in the future state, is eleven. They are mostly desponding. They look upon the dark side of the picture, and take strong hold of the fearful warnings of the gospel, but let go its abundant consolations.

To religion has been attributed the origin of a very large share of the cases of insanity in the community. But of the many hundred persons made insane, as was thought, by religious creeds and theories, none whom I have ever heard of, were made crazy "by visiting the fatherless and widows in their affliction and keeping themselves unspotted from the world."

Two of our number, pious christian females, were unquestionably much disturbed, if not made insane, by their husbands and friends contending with them about the efficacy of the mode in which the ordinance of baptism had been previously administered to them.

Religion is a sure guide for man in this life and necessary to prepare him for the next. It is like the polar star to the mariner in his course on the trackless deep. Guided by pure religion and undefiled by creeds of man's invention, the soul rides out all the storms of life in peace and safety to its final heaven of rest.

Ill health predisposes and brings on a large proportion of the cases of derangement of mind. Probably but few instances would occur of insanity from moral causes, however severe, unless the brain and nervous system had previously been brought into a very susceptible condition by physical disease. When the system is in this state, any of the strong moral or mental excitements may become the immediate cause,—be it the soul's present and future well being, political ambition and popular favor, or the hope of sudden wealth or grandeur.

If ill health continues and the mind is not absorbed or swallowed up in the vortex of any of the prevailing excitements of the day,

the chances are that despondency will supervene and the individual will become insane about his own health—the victim of hypochondriasis.

Pecuniary embarrassment has been the most apparent source of trouble with six of our inmates. Fear of poverty did not operate to disturb any of these, as it is the wealthy only, I believe, who have any fears of coming to want. And none of them were made insane by the wild and wide spread speculating mania, with its consequent revulsions, that swept through the country a few years since. But they all arose from the effects of ordinary reverses that common prudence does not always foresee and avert.

Occupation of the males :

|             |   |   |   |   |   |   |   |       |
|-------------|---|---|---|---|---|---|---|-------|
| Farmers,    | - | - | - | - | - | - | - | 22    |
| Carpenters, | - | - | - | - | - | - | - | 5     |
| Merchants,  | - | - | - | - | - | - | - | 4     |
| Shoemakers, | - | - | - | - | - | - | - | 2     |
| Others,     | - | - | - | - | - | - | - | 6     |
|             |   |   |   |   |   |   |   | <hr/> |
|             |   |   |   |   |   |   |   | 39    |

| <i>Ages of Patients.</i> | <i>When first Insane.</i> | <i>When admitted.</i> |
|--------------------------|---------------------------|-----------------------|
| Under 20,                | 9                         | 1                     |
| From 20 to 30,           | 20                        | 13                    |
| “ 30 to 40,              | 26                        | 26                    |
| “ 40 to 50,              | 12                        | 14                    |
| “ 50 to 60,              | 4                         | 16                    |
| “ 60 to 70,              | 5                         | 6                     |
| 70 and upwards,          | 0                         | 0                     |
|                          |                           | <hr/>                 |
|                          |                           | 76                    |

Insanity is a disease to which all ages are liable, but childhood is comparatively exempt. The active period of life is most subject to it. It is then that the greatest efforts are made and the greatest responsibilities are assumed.

Civil condition of the patients :

|           |   |   |   |   |   |   |   |       |
|-----------|---|---|---|---|---|---|---|-------|
| Single,—  |   |   |   |   |   |   |   |       |
| Males,    | - | - | - | - | - | - | - | 19    |
| Females,  | - | - | - | - | - | - | - | 15—34 |
| Married,— |   |   |   |   |   |   |   |       |
| Males,    | - | - | - | - | - | - | - | 18    |
| Females,  | - | - | - | - | - | - | - | 16—34 |

|           |   |   |   |   |   |   |    |    |
|-----------|---|---|---|---|---|---|----|----|
| Widowers, | - | - | - | - | - | - | 2  | —2 |
| Widows,   | - | - | - | - | - | - | 6  | —6 |
|           |   |   |   |   |   |   | —  |    |
|           |   |   |   |   |   |   | 76 |    |

Counties from which patients have been sent, and how supported.

| <i>Counties.</i> | <i>By friends.</i> | <i>Towns.</i> | <i>Counties.</i> | <i>Total.</i> |
|------------------|--------------------|---------------|------------------|---------------|
| Rockingham,      | 8                  | 5             | 0                | 13            |
| Strafford,       | 4                  | 0             | 0                | 4             |
| Belknap,         | 3                  | 1             | 0                | 4             |
| Carroll,         | 1                  | 1             | 0                | 2             |
| Merrimack,       | 19                 | 5             | 1                | 25            |
| Hillsborough,    | 4                  | 5             | 0                | 9             |
| Cheshire,        | 3                  | 0             | 0                | 3             |
| Sullivan,        | 1                  | 2             | 0                | 3             |
| Grafton,         | 4                  | 3             | 0                | 7             |
| Coos,            | 0                  | 0             | 0                | 0             |
| <i>States.</i>   |                    |               |                  |               |
| Massachusetts,   | 3                  | 0             | 0                | 3             |
| Rhode Island,    | 2                  | 0             | 0                | 2             |
| Connecticut,     | 1                  | 0             | 0                | 1             |
|                  | —                  | —             | —                | —             |
| Total            | 53                 | 22            | 1                | 76            |

Those who reside nearest avail themselves most of the benefits of the institution. Insanity is supposed to be more rife in thick settled places, cities and villages, than it is among the rural population—and that it even more than keeps pace with the increase of civilization and refinement of the city, in its being a natural consequence of the excitements and vices generated by bringing people together in masses.

Insanity is a disease of long continuance compared with many other diseases. The friends of patients too often wish to remove them before entire recovery is effected. A few cases of sudden attacks recover soon, when the cause is removed. But in a large majority the physical disease is difficult to eradicate, and when that is effected, it seems that the mental action continues to recur, from habit, in the same track for a while afterwards.

The friends should be aware of this, that they may not be disappointed in the slowness of their recovery, and that they may not interfere with the restorative means used by visiting too often while at the Asylum, or taking them away before cured.

It is well established that the earlier patients are placed under curative treatment in hospitals, the more speedy and sure is their

recovery. And yet it is very desirable that the insane should remain at home until the friends become satisfied that they cannot take proper care of them ; that the prescriptions of their physicians cannot be carried into operation ; that the insane cannot be controlled by them as easily as by strangers and those who are accustomed to their management ; and until they ascertain the character and management of the Asylum.

One of the most beneficial influences of hospitals is, that it takes the patients away from their homes and the scenes that produced their malady.

Esquirol, who had under his care in France, patients from every class in society, and who for a long time stood at the head of this department of the medical profession, estimated the time necessary for the recovery of the insane at a little less than a year.

Of more than six hundred cases that I have seen daily and oftener, from the time they entered one of the best insane hospitals in the country, until they recovered, or until they so far recovered as to escape very great danger of a relapse after going to their friends, the time spent in the hospital averaged, for each patient, about five months.

Although the testimony of all who have had the care of curing the insane, and the statistics of all the institutions go to show that in the early stage insanity is as curable as any other disease of equal severity, and that the hope of recovering fades with its duration until two or three years have elapsed, when the chances are very few ; yet the amount of happiness conferred upon chronic and incurable cases by a residence in the Asylum, is by no means small. They are made comparatively happy, the friends are relieved of the care of them and of the solicitude for their safety, and the community is protected from all cause of alarm.

The Asylum is a good building, plain and substantial, beautiful and of neat architectural arrangements. Its location is healthy, commanding an extensive view of the village of Concord, the valley of the Merrimack and the surrounding hills ; and of convenient distance from the business of the village.

The farm consists of one hundred and twenty-one acres of land, the soil of which is mostly light and easy of tillage. It will afford our inmates a constant source of labor, and it is susceptible of great improvement in appearance as well as of productiveness.

The Asylum is now, in the short space of about seven months, about half filled up. Our number has increased as fast as the institution could conveniently be furnished to receive inmates ; and the state of the funds forbids an expenditure for that object faster than the admission of patients demands.

We have generally had a pretty quiet house ; and before its wards were so full, the presence of violent patients did not so much annoy the rest of us as they will now, when all the rooms are getting full.

The very violent, noisy, filthy and naked disturb the peace and comfort of our household, and demand for their own security and the general good of the rest, a separate building, with strong rooms ; or we may be under the necessity of rejecting or discharging cases of the most offensive character.

The aqueduct, though defective, has afforded us thus far about twenty-five barrels of pure soft water daily, to which all the inmates have access. It supplies the kitchen and wash room. After filling the tanks in the attic, it runs over into the rain water cistern in the cellar, and from thence it is taken to the wash house again, and to the barn.

We have a well, with a suction and forcing pump. The well is fifty feet deep, and seems inexhaustable.

The cockle furnace in the basement of the north wing has kept the whole wing—rooms for the accommodation of fifty-one patients, their dining rooms and nurses' rooms—warm and comfortable the past winter, by throwing into each story a large volume of moderately heated air, which served to ventilate as well as warm the apartments, openings have been made from each sleeping room to the attic for the escape of the contaminated air.

We have not had sufficient trial with the furnace in the south wing to test its capacity for warming the three galleries, having occupied only one of them until the 8th of March.

Our intercourse with the patients is friendly and social. We treat them as companions and equals. The law of kindness does away with all mystery in the management of the insane. We should be scrupulously honest and candid in our dealings with "minds diseased," not to equivocate or deceive them ; for the difficulty is, that they are already in doubt and fear, or their minds are prejudiced and led away by disease, and deception only the more bewilders them in their wanderings or confirms them in their errors. The truth will sooner or later be ascertained, and will then be very liable to produce whatever bad effects were originally connected with it, besides rendering us odious to those who have been thus imposed upon.

To be patient, and to administer to their distresses with kindness, and to meet their abuse of us with forbearance, renders our duties less arduous and secures the good will of those under our care.

When the weather has been suitable, our patients have walked

abroad or worked in the fields with their attendants. They have done much towards preparing fuel, and they have assisted us in farming and also in the making up of matrasses. We have a joiner's room, with tools for those who can use them. For amusement we have chess, cards, games, &c. The females sew and knit. They have done a large share of the sewing for furnishing. Pleasant days they walk out and ride about the village with the horse and carriage, His Excellency the Governor was pleased to put into our keeping.

Our patients read the scriptures and such suitable books as we can command. To the generosity of the printing offices in this village—the N. H. Patriot, Hill's Patriot and the Statesman—our patients are weekly indebted for a bundle of their exchange papers, and to Mr. Norris of Boston, for the Olive Branch.

Twenty of our patients have attended meeting at the several churches in the village on the sabbath, more or less. We have singing parties, with instrumental music.

Our attendants are intelligent and respectable, and have done the best they could. To Mr. Samuel Colby and wife, the institution is greatly indebted for the experience they have brought with them, and for their faithfulness in the management of the insane.

The law now requires our attendants to do military duty, but their duties in the Asylum will not permit them to leave their posts for that purpose.

The Asylum has made a successful beginning, and, with the smiles of Providence on our exertions, no efforts shall be wanting to continue its prosperity.

GEO. CHANDLER.

## RETURN OF THE ADJUTANT GENERAL.

ADJUTANT GENERAL'S OFFICE, }  
Concord, June 21, 1843. }

*To His Excellency Henry Hubbard, Commander in Chief of  
the N. H. Militia.*

SIR—The annual returns made to this department of the military strength of this State, present the following aggregate, viz :

|  |        |
|--|--------|
| Cavalry,                               | 584    |
| Artillery,                             | 1,953  |
| Infantry, Lt. Infantry and Grenadiers, | 24,767 |
| Riflemen,                              | 2,225  |

|                   |        |
|-------------------|--------|
| Making a total of | 29,829 |
|-------------------|--------|

The condensed returns, which I have the honor of submitting to your Excellency, furnish the present amount of ordnance, ordnance stores, arms and military equipments, and instruments of music in the care of the several Regiments, and of the Commissary General at Portsmouth and his deputy at Lancaster, and also of the Adjutant General at Concord.

Within the last year there have been received from the ordnance department of the United States, by William Rhymes, late Commissary General of this State,

|                    |                           |
|--------------------|---------------------------|
| 300 Muskets,       | 30 Spring vices,          |
| 300 Screw Drivers, | 300 Spare Flint caps, and |
| 300 Wipers,        | 15 Packing boxes.         |
| 30 Ball screws,    |                           |

I have procured and distributed to each of the General, Field and Staff officers, and to each officer commanding a company, one copy of the Militia Laws, pursuant to the provision in the laws, chapter 94, section 3, of the Revised Statutes, together with the order of your Excellency, and the forms necessary to be adopted by the different officers in the discharge of their duties, &c.

No edition of the Militia Laws had been printed since 1829, and since the revision of the laws, it became indispensably necessary to supply the officers with them, to enable them to discharge their duty.

It gives me great pleasure to add, that from a personal inspection of a number of Regiments last fall, as well as from other

means of information, I believe in no State are the militia generally better prepared for immediate service than in this, and that we may rely with perfect confidence upon the discipline and patriotism of our citizen soldiery to protect the integrity of our soil, from all foreign invasion and domestic insurrection.

The Regiments which came under my immediate observation, would not suffer by a comparison with the best troops that ever composed an army or militia, in respect to their undivided attention to duty, and their gentlemanly and soldier-like deportment. A very commendable zeal was witnessed on the part of a large proportion of the officers to raise the character of the militia, and to prepare it for any service which the honor and interest of the State might require, notwithstanding the sacrifices to which they were subjected; and it is to their exertions, and by the influence of their example and officers like them, that the State is principally indebted for having sustained the organization and a good degree of discipline in the ranks generally, and a *high* degree of discipline in particular corps.

With much respect,

Your obedient servant,

C. H. PEASLEE, Adjutant General.



## ARMS, ACCOUTREMENTS AND AMMUNITION.

|  |                              |       |       |       |       |       |       |      |   |      |     |    |      |      |       |       |       |    |     |     |    |
|--|------------------------------|-------|-------|-------|-------|-------|-------|------|---|------|-----|----|------|------|-------|-------|-------|----|-----|-----|----|
| On the field in possession of troops, in state arsenals or laboratories. | Muskets.                     | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  |                              | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Royonets.                    | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Cartridge boxes and belts.   | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Bayonet scabbards and belts. | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Drummers and picke-          | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Spare skins.                 | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Ball cartridges.             | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Rifles.                      | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Powder horns.                | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Pouches.                     | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Boxed loose balls.           | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Horseman's pistols           | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Swords.                      | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Sword scabbards and belts.   | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Knapacks.                    | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Cankeens.                    | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Haversacks.                  | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Drums.                       | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Piles.                       | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |
|  | Bugles and trumpets.         | 18951 | 15894 | 17182 | 15603 | 15759 | 33128 | 4000 | 4 | 2315 | 767 | 14 | 1066 | 1709 | 17309 | 16998 | 16811 | 35 | 729 | 412 | 14 |

**ORDNANCE, AND ORDNANCE STORES.**

*Adjutant General's Office, twentieth June, 1843.*

|  |     |                        |
|--|-----|------------------------|
| In the possession of the Adjutant General, | 240 | Infantry Tactics,      |
| "  | "   | 68 Artillery "         |
| "  | "   | "                      |
| "  | "   | 44 Company Roll Books, |
| "  | "   | 19 " Orderly "         |
| "  | "   | 7 Fifes,               |

" " " " " " " "  
 320 Militia Laws and a few of the  
 different kinds of blanks. One copy of the Militia Law has been distributed to  
 each General, Field and commissioned Staff officer, and one to each officer com-  
 manding a company.  
**CHARLES H. PEASLEE**, Adjutant General of the Militia of the State  
 of New Hampshire.

|        |                 |                |                     |                   |                         |                  |              |                   |                    |                  |                       |  |
|--------|-----------------|----------------|---------------------|-------------------|-------------------------|------------------|--------------|-------------------|--------------------|------------------|-----------------------|--|
|        | Brass pounders. | Iron pounders, | Sponges and rammers | Ladies and worms. | Bricoles and dragropes. | Tail handspikes. | Lead aprons. | Ammunition boxes. | Ammunition wagons. | Sets of harness. | Mounds showed shells. |  |
| 37     | 37              | 31             | 11                  | 38                | 60                      | 41               | 95           | 23                | 3                  | 50               | 9871                  |  |
| Total. | 37              | 31             | 51                  | 54                | 78                      | 41               | 98           | 53                | 3                  | 50               | 9871                  |  |

**On the field in pos-  
session of troops.  
In state arsenals or  
laboratories.**

## ESTIMATE OF THE STATE TREASURER.

*An estimate of the probable receipts and disbursements at the Treasury, from June 7 to December, 1843.*

### RECEIPTS.

|   |          |
|---|----------|
| Cash balance in the Treasury, June 7, 1843, | 5,960 80 |
|---|----------|

### DISBURSEMENTS.

|   |           |
|---|-----------|
| For the salaries of Governor, Secretary, Treasurer, Adjutant General, Judges of the Superior Court and Court of Common Pleas, Judges and Registers of Probate and Attorney General, | 8,500 00  |
| Attendance and travel rolls of the Hon. Council, Senate and House of Representatives the present session, including compensation to clerks and door keepers,                        | 16,000 00 |
| Incidental expenses of the session, including printers' accounts for publishing Laws and Journals, and pay of clerks for copying,   | 1,000 00  |
| Military appropriations,  | 1,000 00  |
| Appropriation for deaf, dumb and blind,   | 1,800 00  |
| Appropriation for State Library,  | 100 00    |
| Appropriation for Geological Survey,  | 200 00    |
| For bounties on wolves, bears and wild cats,  | 500 00    |
| For August session of Hon. Council,   | 100 00    |
| For payment of the Treasurer's note to the Mechanics Bank, for money borrowed, and interest on the same,  | 5,300 00  |
| For payment of Treasurer's note to the Merrimack County Bank, for money borrowed, and interest on the same,   | 10,400 00 |
| For contingencies,  | 2,000 00  |
|   | 46,900 00 |
| Deduct receipts,  | 5,960 80  |
| Leaving to be provided for by loan,   | 40,939 20 |

*An estimate of the probable receipts and disbursements at the Treasury, from December, 1843, to June, 1844.*

## DISBURSEMENTS.

|   |           |
|---|-----------|
| For salaries of officers of Government,   | 9,000 00  |
| For travel and attendance rolls of Hon. Council,  | 200 00    |
| For payment of the Treasurer's note to William Jones,<br>principal and interest,            | 10,600 00 |
| For payment of the Treasurer's note to Merrimack<br>County Bank, with interest on the same, | 8,480 00  |

## RECEIPTS.

|  |           |
|--|-----------|
| State tax for 1843,                        | 60,000 00 |
| Tax on railroads,                          | 7,000 00  |
| Note of Thomas Carlisle and John H. White, | 200 00    |
|  | <hr/>     |
|  | 67,200 00 |

Leaving the Treasury deficient, June 1, 1844, 2,019 20

Respectfully submitted,

Signed—JOHN ATWOOD, Treasurer.

State of New Hampshire, }  
Treasury Office, June 22, 1843. }

## REPORT

## OF COMMISSIONERS OF LITERARY FUND.

In obedience to the directions of the Revised Statutes, the commissioners respectfully submit to the Honorable Legislature the following

## REPORT:

The following Banks have paid into the Treasury, this year, the amount of nine thousand, three hundred, eight dollars and fifty cents, to be paid to the several towns in this State, viz: .

|             |        |
|-------------|--------|
| Ashuelot,   | 500    |
| Cheshire,   | 500    |
| Commercial, | 723 50 |

|                    |       |
|--------------------|-------|
| Connecticut River, | 300   |
| Derry,             | 500   |
| Dover,             | 500   |
| Granite,           | 500   |
| Manufacturers,     | 500   |
| Merrimack County,  | 500   |
| Mechanicks,        | 500   |
| Lebanon,           | 500   |
| Nashua,            | 500   |
| Rochester,         | 500   |
| Rockingham,        | 500   |
| Piscataqua,        | 1,500 |
| Pemigewasset,      | 250   |
| Winnipissiogee,    | 535   |

---

\$9,308 50

HENRY HUBBARD, }  
 JOSIAH STEVENS, Jr., } Commissioners  
 ZENAS CLEMENT, } of  
 } Literary Fund.

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## REPORT

### OF THE EXECUTIVE TRUSTEES OF THE EXETER SAVINGS BANK.

*To His Excellency the Governor and the Honorable Council of the State of New Hampshire, respectfully represent,*

The undersigned, that they, on the 23d day of June, 1842, had the honor of being appointed trustees of the Exeter Savings Bank, for the purpose of bringing the affairs of said institution to a close, and to pay over to the depositors the respective sums which they had deposited therein—that after they had executed and filed in the office of Secretary of State, as they were required to do, a good and sufficient bond, for the faithful discharge of the trust reposed in them, and after they had given due notice of their appointment, by virtue of the power in them vested, they made a requisition upon the corporate trustees for all the assets belonging to said Exeter Savings Bank, which requisition the said cor-

porate trustees refused to grant. Whereupon the undersigned applied to one of the Justices of the Superior Court of the State of New Hampshire, for a writ of injunction against said corporate trustees, commanding them to stay all further proceedings relative to the affairs of said institution, until the further order of said Court thereon. Which writ was issued in due form of law, and thereafterwards, to wit, on the third day of August, 1842, the same was duly served upon the said corporate trustees, whereby they were restrained from intermeddling with the affairs of said Bank, until the further order of Court thereon, as aforesaid, and thereafterwards a subpoena was issued, in due form of law, and served upon the corporate trustees, aforesaid, requiring them to appear at the Superior Court of Judicature, then to be holden at Exeter, within and for the county of Rockingham, on the first Tuesday of December then next, to shew cause, if any they had, why the assets of the said Exeter Savings Bank should not be delivered over to the executive trustees, to be by them distributed to the respective depositors in said institution, agreeably to the expectations of the Governor and Council of the said State of New Hampshire, when they made the above mentioned appointment.

Agreeably to the command contained in the above mentioned subpoena, the said corporate trustees did appear at the above mentioned Court and file their answer to the bill in equity, which had previously been filed in the Clerk's office of the above named Superior Court, and after a hearing thereon, the Justices of said Court "*do decree and order that the injunction heretofore awarded by said Court, be, and the same is hereby dissolved.*" By which decision the undersigned have been relieved from the performance of any further duty in the premises, and herewith transmit to your Excellency an account of the expenses which have been incurred in the above mentioned prosecution, which is marked A, and also an account of the receipts and disbursements which have already been made, marked B, and respectfully request that the same may be laid before the Honorable Legislature, that such proceedings may thereon be had, as to procure an appropriation sufficient to pay the balance due the claimants therein mentioned.

All of which is respectfully submitted.

|                         |                      |                      |
|-------------------------|----------------------|----------------------|
| Signed, SAMUEL CUSHMAN, | } Executive Trustees |                      |
| JAMES FOSS,             |                      | of the               |
| J. BURLEY,              |                      | Exeter Savings Bank. |

## (A)

An account current of the executive trustees with the State of New Hampshire, showing the whole amount of expenditures incurred under their commission of 23d June, A. D., 1842, and also the balance which is now due from the State, namely:

|   |          |
|---|----------|
| A claim of Hon. Ichabod Bartlett, for services as counsel in the action of the executive trustees vs. the corporate trustees, | 30 00    |
| A claim of Hon. Franklin Pierce for ditto,  |          |
| “ “ Henry F. French, Esq., for ditto,   | 30 50    |
| “ “ Ira B. Hoitt, Esq., Clerk of Superior Court,  | 25 54    |
| “ “ S. W. Dearborn, Esq., as Deputy Sheriff,  | 54 16    |
| “ “ Hon. Josiah Stevens, Jr., as Secretary of State,  |          |
| “ “ James Burley, Esq., as Trustee,   | 6 00     |
| “ “ James Foss, Esq., as Trustee,   | 6 00     |
| “ “ Samuel Cushman, as Trustee and Counsel,   | 35 00    |
|   | <hr/>    |
|   | \$187 20 |

Credit.

|   |                |
|---|----------------|
| By cash received of the State, 22d January, 1843, | <hr/> \$100 00 |
|---|----------------|

Balance.

|         |                 |  |
|---------|-----------------|--|
| Signed, | SAMUEL CUSHMAN, | } Executive Trustees<br>of<br>Exeter Savings Bank. |
|         | JAMES FOSS,     |  |
|         | J. BURLEY,      |  |

## (B)

An account of the receipts and disbursements made by the executive trustees of the Exeter Savings Bank, from the time of their appointment, on the 23d June, 1842, to the date hereof.

|  |          |
|--|----------|
| To cash received of the State of New Hampshire, 22d January, 1843, | \$100 00 |
|--|----------|

Credit.

|   |       |
|---|-------|
| By cash paid to Hon. I. Bartlett, as per receipt, | 15 00 |
| “ “ Hon. Franklin Pierce, as per receipt,         | 15 00 |
| “ “ Henry F. French, Esq., as per receipt,        | 15 00 |
| “ “ Ira B. Hoitt, Esq., as per receipt,           | 10 00 |

|   |       |
|---|-------|
| By cash paid to S. W. Dearborn, Esq., as per receipt, | 10 00 |
| “ “ Samuel Cushman, as per ac't receipted,            | 35 00 |

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\$100 00

|                         |  |
|-------------------------|--|
| Signed, SAMUEL CUSHMAN, | } Executive Trustees<br>of the<br>Exeter Savings Bank. |
| JAMES FOSS,             |  |
| J. BURLEY,              |  |

June 2d, 1843.

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## REPORT

### OF EBENEZER GLINES, AGENT FOR THE PUBLIC LANDS IN THE COUNTY OF COOS, FOR THE YEAR 1843.

*To the Senate and House of Representatives in General Court convened.*

The undersigned reports, that the quantity of land owned by the State in the county of Coos is, as near as he has been able to ascertain, about one hundred thousand acres. The quality for cultivation will compare well with other lands in the county of Coos, and not, as far as he has been able to ascertain by exploring the same, at all inferior. On said land is but a small quantity of pine timber. It is covered with a good growth of maple and beech, together with some spruce and other kinds of growth. A small trespass has been committed on Indian Stream by persons unknown. This trespass is so very trifling, as not to warrant an action. Within the limits of the State lands, there has been conveyed to about forty settlers, 200 acres of land each; save to two who had conveyed to them 700 acres each. These lands were conveyed without other consideration than that of inducing settlement.

By the late treaty with Great Britain, a portion of the town of Harriford in Canada, comprising about 16,000 acres has been thrown within the limits of this State. But about three families are resident on this last mentioned tract. It may be a question worthy your consideration, whether a laying out these lands into townships and lotting the same, will not facilitate sales, and settlements, and be for the pecuniary advantage of the State.

Respectfully submitted, by

EBENEZER GLINES, Agent.

June 23d, 1843.

## REPORT

### OF AGENT ON PUBLIC LANDS.

*To the Senate and House of Representatives in General Court convened.*

The subscriber represents, that for the purpose of ascertaining what lands belong to and are owned by the State of N. H., in the counties of Grafton and Carroll, he applied to the Secretary of State for such information of title and evidence of sales as were in his office.

From the Secretary he received the accompanying paper marked (A.) Having obtained what information he could of the Secretary, he repaired to the section of the State where he supposed the lands of the State in the counties of Grafton and Carroll were, and after exploring and obtaining all such information as he could, touching the subject matter of his commission, he returned to Concord. In Thornton he obtained of Jasper Elkins and Samuel Walker, the annexed memorandum of a deed marked (B.) It was supposed at the time of the conveyance to Jasper Elkins and others, that the north line of Albany, (then Burton,) and the north line of Waterville was one continued right line and the original survey and conveyance to Elkins and others, was made agreeably to said supposition.

It was afterwards ascertained, that between the north line of Waterville and the south line of land conveyed to said Elkins and others, was a tract of about 4,600 acres ; but from the peculiar phraseology of their deed, a claim was subsequently set up to the same.

Samuel Allen, by his petition of June 27, 1839, marked (C), asked that this tract be quitclaimed and confirmed to him.

By a resolve of the legislature of July 6, 1839, this was done, and the treasurer, as he says, subsequently executed a deed as authorized by said resolve ; although there is no record of said deed in the office of the Secretary of State.

From all the information which he has been able to obtain, he is of the opinion that the State have parted with all its lands situate in said counties of Grafton and Carroll.

GEO. McDANIEL, Agent on Public Lands.

June 23, 1843.

(A)

In deed dated Oct. 27, 1831. Land conveyed by James

Willey, land commissioner, to Jacob Sargeant, Jr., Daniel Elkins, and Enoch Flanders of Thornton, and Samuel Alexander, and John A. Prescott of Jaffrey ; bounded as follows :—beginning on the southeast corner of the town of Franconia ; thence northerly to the northeast corner of said Franconia ; thence northerly to the southwest corner of Breton Woods ; thence easterly by said Breton Woods to the northwest corner of Nash and Sawyer's Location ; thence southeasterly by said location to the Notch, (so called ; ) thence southerly on the west line of Hart's Location, to the northeast corner of land granted to Jasper Elkins and others, at the June session 1830 ; thence to the first mentioned bound.

The foregoing appears to be all the land belonging to the State, sold by Willey, the land agent in the county of Grafton.

JOSIAH STEVENS, 3d, for  
JOSIAH STEVENS, JR.

(B)

Know all men by these presents, that I, Abner B. Kelley, treasurer of the State of New Hampshire, by virtue of a resolution, passed July 3d, 1830, and in consideration of eight hundred dollars, by Jasper Elkins, Samuel H. Walker, Jacob Sargeant jr., Ebenezer P. Elkins, John Eaton and David Perkins, all of Thornton in the county of Grafton and State aforesaid, secured to my satisfaction, to be paid to the State of New Hampshire in six equal annual payments, with interest, have released and conveyed, and do release and convey unto the said Jasper, Samuel, Jacob, Ebenezer, John and David and their heirs and assigns, all the right and title which the said State of New Hampshire have unto tracts of land situated in the county of Grafton aforesaid, and described as follows, to wit :—beginning at the northeast corner of the town of Lincoln and running east seven miles and one hundred and seventeen rods to Hart's Location ; thence southerly by the western boundary of said location to a point so far south that a line drawn thence due south shall strike the northwest corner of the town of Burton ; thence south to said northwest corner of Burton ; thence westerly along the northern line of Waterville to the eastern boundary of Hatch's and Cleaves' Grant ; thence northerly and westerly by said grant, to the east line of Thornton ; thence by said line of Thornton northerly, to the line of Lincoln, and along this line to the point first mentioned. The above lot was appraised by Daniel Hoit of Sandwich, Davis Baker of Campton, and Jonathan Cummings of Plymouth, Esqrs. Deed recorded in Secretary of State's office, Aug. 31st, 1830.

(C)

*To the Hon. Senate and House of Representatives of the State of New Hampshire in General Court convened.*

The petition of Samuel Allen of Grafton in the county of Worcester and Commonwealth of Massachusetts, respectfully represents that the legislature of the State of New Hampshire, on the 3d day of July, A. D. 1830, by a resolve of that date, granted to Jasper Elkins and others, his associates, a certain tract of land situated in the county of Grafton in said State of New Hampshire, commonly called Elkins' Grant, which is bounded on the south, beginning at the northwest corner of Burton, (now Albany;) thence westerly along the northern line of Waterville, to Hatch and Cleaves' Grant, as will appear by a deed of the same tract made to said Elkins and his associates, by Abner B. Kelley, treasurer of said State, bearing date, August 1st, A. D. 1830.

That said tract of land was surveyed by Jonathan Cummings, Esq., and laid off on a plan or map in lots containing two hundred acres each; but the survey and location of lots did not extend further south than a line drawn west from the northwest corner of said Burton on the east, to Hatch and Cleaves' Grant on the west—that between this line and the northern line of Waterville, aforesaid, there is a strip of land, the exact quantity of which has not yet been ascertained by any accurate survey, and which is not claimed either by the proprietors or other inhabitants of said Waterville; but which appears by said Elkins and his associates, to have been considered as belonging to said grant, not only from the description of the southern boundary of the same, as contained in said deed; but from the fact that Jacob Sargeant and Eben. P. Elkins, two of the associates of said Jasper Elkins, claiming title under said Jasper and his associates, have sold to an innocent purchaser the greater part, as is supposed, of said strip or gore of land, to wit:—on the 21st day of March, A. D. 1836, they sold to Stephen Thayer, under whom your petitioner claims title to the same, for a valuable consideration, by deed of warranty of that date, 2,700 acres in a strip of land lying on the south part of said grant, as will appear by said deed, 2,700 rods long and 160 rods wide—and on the 25th day of June following, by their other deed of warranty of that date, and for a valuable consideration, they sold to said Thayer nineteen hundred acres more, all of which is situated in said strip or gore of land lying north of said northern line of Waterville, and south of the most southern range of lots located and laid off on said grant and map as aforesaid—and all of which, excepting a few hundred acres, your petitioner claims by virtue of a quitclaim deed from said Thayer.

Now in as much as the title thus derived to the premises aforesaid, appears to be doubtful and bad, your petitioner relying on the good faith and justice of the legislature of New Hampshire, respectfully prays that his title to the lands mentioned in the deed aforesaid, may be confirmed and made good to him, so far as it can be by a resolve and a quitclaim of the State to all their right and interest therein.

He further prays that all other titles to any part of the premises aforesaid, derived by and through said Thayer, if any there are, may in like manner be affirmed ; and if upon running the northern line of said town of Waterville, there shall be more land than the 4,600 acres mentioned in the deeds aforesaid, lying between the same line and another line running west from the northwest corner of Burton, (now Albany,) with the southern range of lots originally laid off on said grant, to Hatch and Cleaves' Grant.

Then to avoid all difficulties that may arise from the uncertainty of description and location of the lands mentioned in said deed, your petitioner also prays that the same may be granted or quitclaimed to him by the State, upon his paying the value of the interest of the State therein, to be ascertained on the principles adopted by the appraisers of said grant, as set forth in deed from the State to said Elkins and his associates, or such other principles as may be just and equitable.

SAMUEL ALLEN.

Concord, June 27th, 1839.

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## LETTER OF STATE GEOLOGIST.

Boston, June 20, 1843.

*To His Excellency Henry Hubbard, Governor of New Hampshire.*

DEAR SIR—The final Report on the Geology of New Hampshire, which I propose to offer to the Legislature, will form an octavo volume of about 500 pages, and will comprise a full account of the various rocks, minerals and soils of the State, with instructions as to their economical uses.

The subjects will be arranged nearly as follows :

1. Preliminary remarks on the subject of Geology.
2. Plan of the Geological Survey of N. H.
3. Digest of the 1st annual Report.

4. The Survey made in the second year.
5. " " " " " third year.
6. Chemical analyses and assays of the minerals of the State with directions as to their economical use—Remarks on Mining &c.
7. Agricultural, with analysis of soils, manures, &c., and with suggestions as to improvements in the art.
8. Tables of analysis of Iron Ores, Limestones, soils, &c.
9. Barometrical and other tables of measurements.
10. Index to the contents of the Volume.

### PLATES.

The Illustrations for the Report consist of

- 1 Geological Map of the State, colored,
- 6 Sections, showing the order of the various rocks in different directions across the State, with the measured heights of the various remarkable points.
- 10 Views of remarkable and interesting scenery of the State.

These are fine drawings, which will be represented by Lithographic impressions. The selection of the most interesting views has been made, and they cannot fail to add to the value of the report. Most of the plans of Furnaces, Lime Kilns, sections of mines &c, with apparatus, may be represented by wood cuts, which will be printed with the text of the report, and will cost but little.

The maps, sections and views, may be printed on good plate paper and they will form a convenient sized atlas of plates, separate from the report, so that any number of copies of the separate books may be struck off.

The maps and sections, may be printed on thin paper, and may be folded into the same 8 mo. volume with the report, and these being essential to the due understanding of the written descriptions, I should advise the preparation of as many sets of the maps and sections, as there will be printed copies of the report. If it is thought desirable to economize in the plates, a smaller edition of the atlas may be ordered. I deem it important for the credit of the State, that the reports sent abroad, should be accompanied with a full and complete set of plates.

Allow me to suggest the expediency of deciding as soon as possible as to the manner in which this work shall be executed, for no progress can be made in preparing my documents until we know what is to be printed.

We must know how many copies of the report and of the plates will be required before a single sheet can be struck off.

If the committee desire my presence at Concord, I will go there at any time designated.

Respectfully and truly,  
your obedient servant,

C. T. JACKSON.

To His Excellency, Henry Hubbard, Governor of New Hampshire.

## EIGHTH ANNUAL REPORT, OF THE DIRECTORS OF THE NASHUA AND LOW- ELL RAILROAD CORPORATION TO THE LEGIS- LATURE OF NEW HAMPSHIRE, JUNE, 1843.

*To the Hon. Legislature of the State of New Hampshire.*

The directors of the Nashua and Lowell Railroad Corporation, hereby submit their eighth annual report of their acts and doings, receipts and expenditures, under their acts of incorporation, for the year ending April 30, 1843.

The capital stock of said Corporation is \$380,000 00.

There has also been paid the further sum of \$4,970 93, for cost of road, in addition to said capital stock, which sum has been borrowed from the contingent fund.

The receipts and expenditures of the road for the year ending April 30, 1843, so far as accrued, are as follows :

|           |   |             |
|-----------|---|-------------|
| 1843.     | <i>Expenses of Road.</i>  |             |
| April 30. | Paid for repairs of Road and Depots,  | 3,830 08    |
| “ “ “ “ “ | Engines and Cars,   | 4,005 42    |
| “ “ “ “   | Transportation and Fuel,  | 27,682 03   |
| “ “ “ “   | Miscellaneous expenses,   | 12,802 82   |
| “         | Balance of profit on hand,  | 42,859 35   |
|           |   | \$91,179 70 |
| 1843.     | <i>Receipts of Road.</i>  |             |
| April 30. | Received from Passengers, (deducting<br>\$5,676 72, paid B. & L. R. R. Cor-<br>poration,) | 43,265 13   |
| “ “       | Received from Freight,  | 45,902 13   |
| “ “       | “ “ Rents and mail,   | 1,978 57    |
| “ “       | “ “ Miscellaneous,  | 33 87       |
|           |   | \$91,179 70 |

A further sum of \$567 04, has also been received for interest on the contingent fund loaned. The sums above given are the actual receipts and payments; not the earnings and expenses of the road. There is an indebtedness to and from the Corporation to a considerable amount, the actual state of which cannot be ascertained until settlement.

From the earnings of the road during the last year, two dividends have been declared of four per cent each; one payable Dec. 1, 1842, and the other, June 1, 1843.

The number of passengers (including way passengers) carried over the railroad from May 1, 1842 to May 1, 1843, was 88,817. The number from May 1, 1841 to May 1, 1842, was 95,731.

The number of tons of freight transported over the road during the year ending April 30, 1843 was 31,073 <sup>874</sup>

The amount transported from April 30, 1841, to April 30, 1842, was 27,596 <sup>169</sup>/<sub>2000</sub> tons.

The number of miles run by our locomotives during the past year, has been as follows :

|                      |              |
|----------------------|--------------|
| With freight trains, | 9,615 miles, |
| “ passenger trains,  | 32,130 “     |
| “ locomotive extra,  | 2,776 “      |
| Total 44,520         |              |

The number of miles run with passenger and merchandise trains on the Boston and Lowell, and Charlestown Branch Railroads during the past year, has been as follows :

|                        |               |
|------------------------|---------------|
| With passenger trains, | 55,692 miles, |
| “ freight trains,      | 16,172 “      |

All which is respectfully submitted.

|                 |  |
|-----------------|--|
| DAN'L ABBOT,    | } Directors of the Nashua and Lowell Railroad Corporation. |
| C. H. ATHERTON, |  |
| HENRY TIMMINS,  |  |

*Hillsborough, ss. May 31, 1843.*—Then the above named Daniel Abbot and Henry Timmins, personally appeared, and made oath that the foregoing report is in their belief true,

Before me—C. H. ATHERTON, Jus. Peace.

We the subscribers, Commissioners of the Nashua and Lowell Railroad Corporation, have examined the foregoing Report, and do approve the same.

CHARLES J. FOX, Commissioner for New Hampshire.

WM. AMORY, Commissioner for Massachusetts.

## FOURTH ANNUAL REPORT

OF THE DIRECTORS OF THE BOSTON AND MAINE RAILROAD CORPORATION, JUNE, 1843.

*To the Honorable Senate and House of Representatives of the State of New Hampshire.*

The Directors of the Boston and Maine Railroad, hereby submit their fourth annual report of their acts and doings, receipts and expenditures, under their acts of incorporation.

Since their last annual report, they have so far completed their road, that it is now in use for the transportation of passengers and merchandise from the intersection of the Boston and Lowell road in Massachusetts, to the intersection with the Portland, Saco and Portsmouth railroad, near Greatworks river, in South Berwick, in the state of Maine, using the Maine, New Hampshire and Massachusetts Railroad, from the line of the state of Maine, to its intersection with the Portland, Saco and Portsmouth Railroad, under an agreement with that corporation.

The company have under construction, and nearly completed, a railroad from Dover to Great Falls village, leaving the other track near Somersworth old meeting house, and by an arrangement between the several railroads connecting, passengers and merchandise are transported from Concord, and intermediate stations to Dover, Great Falls, Portsmouth and Portland.

The annual accounts of the company to the close of the financial year, ending the 30th of Nov. last, is herewith subjoined, as also the certificate of the commissioner on the part of the state of Massachusetts. The commissioner on the part of the state of New Hampshire, has not been appointed to our knowledge.

The total amount of capital stock paid at the time of the union of the franchise of the Boston and Portland, and the Boston and Maine Railroad, Jan. 1, 1842 :

|  |            |            |
|--|------------|------------|
| In the State of Massachusetts,   | 379,799 26 |            |
| In the State of New Hampshire,   | 305,202    | 675,001 26 |
| Received from stockholders, since the union,                                   |            | 165,614 50 |
| Loan from the State of Massachusetts,  |            | 150,000 00 |
| Bonds sold in mortgage of road in N. H.  |            | 63,000 00  |
| Notes payable, secured in part by bond,  |            | 150,183 12 |
| Cash borrowed from the Maine, New Hampshire<br>and Massachusetts Railroad Co., |            | 38,800 00  |

---

\$1,242,598 88

The total amount paid in construction of the road,  
including land, damages, engines and cars, and  
all other expenses to the 30th Nov. 1842, 1,260,285 62

The amount received from the earnings of the road from Jan.  
1, 1842, to Nov. 30, 1842:

|                                    |            |            |
|------------------------------------|------------|------------|
| From transportation of passengers, | 109,681 15 |            |
| “ “ “ merchandise,                 | 38,443 62  |            |
| “ Mails and rents,                 | 7,755 92   | 155,880 69 |

The expenditures in the use of the road during the same time:

|  |           |           |
|--|-----------|-----------|
| For repairs of engines and cars,                   | 8,169 42  |           |
| “ “ of road,                                       | 8,693 14  |           |
| Tolls to Boston and Lowell road,                   | 27,316 60 |           |
| Fuel, oil, salaries and miscellaneous<br>expenses, | 35,099 45 | 79,278 61 |

There has been paid to stockholders two divi-  
dends, amounting to six dollars per share, 53,120 00

There has been expended in construction of the  
road, and for engines and cars the last year to  
November 30th, 235,664 42

|   |               |
|---|---------------|
| The number of miles run by the passenger trains<br>on the Boston and Maine road to Nov. 30, | 88,510 miles. |
| do. by merchandise trains,  | 29,503 “      |
| Passenger cars on the Boston and Lowell road,   | 25,830 “      |
| Merchandise “ “ “ “ “ “   | 8,610 “       |

All of which is respectfully submitted,

|                   |              |
|-------------------|--------------|
| THO. WEST,        | } Directors. |
| THADDEUS NICHOLS, |              |
| R. W. BAYLEY,     |              |
| JNO. HOWE,        |              |
| WM. F. WELD,      |              |
| A. PEIRCE,        |              |

COMMONWEALTH OF MASSACHUSETTS, *Suffolk ss.*

Boston, JUNE 10, 1843. Then personally appeared the above  
named T. West, T. Nichols, R. W. Bayley, J. Howe and Wm.  
F. Weld, and made oath, that the above report was true, accord-  
ing to the best of their knowledge and belief,

Before me—EDW. PICKERING, Justice of the Peace.

The undersigned has examined the foregoing report of the di-  
rectors of the Boston and Maine Railroad company, and approves  
of the same. By an examination of the books of the Treasurer  
of said company, it appears, that from November 30th, 1842, to

May 31, 1843, there was expended in construction of the road, and for engines and cars, \$39,763 59.

WILLIAM STEVENS,

Commissioner for the State of Massachusetts.

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## FIFTH ANNUAL REPORT

OF THE DIRECTORS OF THE EASTERN RAILROAD  
CORPORATION IN NEW HAMPSHIRE, JUNE, 1843.

*To the Honorable Senate and House of Representatives of the  
State of New Hampshire in General Court convened:*

The directors of the Eastern Railroad in New Hampshire, respectfully submit their fifth annual report, of their proceedings and of the receipts and expenditures of the corporation.

Since their last annual report, the road has been completed to the line of the State of Maine, connecting this road with the Portland, Saco and Portsmouth railroad, by the Portsmouth bridge, in conformity with an act of the legislature, passed June session, 1841. This completes a continuous line of railroad from Boston to Portland, over which trains are run several times each day. We are happy in being able to state, that no accident has occurred to a single passenger on this road or the Eastern railroad of Massachusetts, since this road has been in operation, a circumstance almost unparalleled in the history of railroads.

This road was leased in 1840 to the Eastern Railroad Co. in Massachusetts (under authority of the legislature of this State) for a term of ninety-nine years, giving them the entire right to use the road, with locomotive engines, carriages, &c.; by this arrangement the two roads, forming one continuous line, are placed for practical use under our direction, and can be managed with more efficiency and safety than if separately conducted, while by the agreement of the parties, the dividends of profits earned by the two roads are to be equally divided upon the stock of the two roads in proportion to their respective capital paid in; hence the receipts and expenditures of the two roads are kept by the Eastern railroad of Massachusetts. Since our last report we have received from the lessees 24,000 dollars, from which two dividends of three dollars each, per share, have been made, the first in July

and the second in January, making the receipts for the last year six dollars per share on 400 shares of one hundred dollars paid in. By the terms of the lease, all the net earnings of the two roads are to be divided, after reserving a surplus for contingencies, not exceeding thirty thousand dollars.

It appears by the treasurer's books, that the cost of  
the road, buildings and land, on the 30th of May,  
1843, was \$452,858 93

|   |            |
|---|------------|
| Which has been realized by sale of 4,000 shares of<br>the capital stock of the company, | 400,000 00 |
| Amount of notes payable and other liabilities,  | 52,858 93  |
|   | 452,858 93 |

All of which is respectfully submitted.

|   |   |            |
|---|---|------------|
| ICHABOD GOODWIN,<br>B. T. REED,<br>ISAIAH BREED,<br>DAN'L P. DROWN, | } | Directors. |
|---|---|------------|

Portsmouth, May 30th, 1843.

SUFFOLK, ss.

Boston, May 30, 1843.

Then personally appeared the aforementioned Ichabod Goodwin, B. T. Reed, Isaiah Breed, and severally made oath, and Dan'l P. Drown, who affirmed, that the foregoing report, by them subscribed, is true to the best of their knowledge and belief.

Before me,

GEO. W. GORDON, Justice of the Peace.

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## SECOND ANNUAL REPORT

### OF THE DIRECTORS OF THE CONCORD RAIL ROAD CORPORATION, JUNE, 1843.

*To the Honorable Legislature  
of the State of New Hampshire:*

All the stock disposed of up to the 1st May instant, was 14,501

shares, on which has been received 50 dollars per share, making the whole amount of receipts for stock \$725,050 00

Of which there is on hand ready to be invested in further necessary outlays, 16,729 71

Residue disbursed as follows, viz:

|   |            |              |
|---|------------|--------------|
| For expenses,   | 19,198 01  |              |
| Engineering,  | 16,664 78  |              |
| Land and damages,   | 86,447 65  |              |
| Grading and masonry,                                      | 124,337 26 |              |
| Bridging,   | 85,834 24  |              |
| Superstructure, including iron,                           | 227,584 83 |              |
| Fencing,  | 9,220 33   |              |
| 6 passenger cars and 104 freight cars and 6 baggage cars, | 47,173 18  |              |
| 4 engines,  | 21,577 20  |              |
| Depots,   | 41,443 40  |              |
| Interest,   | 26,839 41  | 706,320 29   |
|   |            | <hr/>        |
|   |            | \$725,050 00 |

The whole road is considered to have been in full operation since the 1st of September last, although the cars did not run to Concord until sometime afterwards.

The income and receipts for operating the road have been as follows, viz:

|                            |           |
|----------------------------|-----------|
| From passenger department, | 48,671 30 |
| " freight        "         | 21,808 80 |
| " rents,                   | 432 26    |

Gross amount of income, \$70,912 36

The disbursements in operating the road have been as follows, viz:

|  |           |           |
|--|-----------|-----------|
| On account of road repairs,                | 6,056 41  |           |
| Repairs of engines and all other expenses, | 21,127 09 | 27,183 50 |
| Balance of earnings on hand,               |           | 43,728 86 |

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\$70,912 36

This balance of earnings is appropriated as follows, viz:

|   |          |
|---|----------|
| Cash carried to contingency and general deterioration account,  | 495 61   |
| Ditto in extra supply of wood and oil, carried to same account, | 8,233 25 |

Dividend for the eight months ending May 1st,  
being 5 per cent. on \$700,000 old stock,

35,000 00 .

\$43,728 86

Temporary arrangements have been made with the Nashua and Lowell, and the Boston and Lowell railroad corporations, for the use of their respective roads, depots and moving power thereon. The basis of these arrangements is the payment to them, for freight and passengers, a *pro rata* proportion of the fare for the miles run on each road; they making to the Concord railroad out of this fare an allowance for risk, cars, conductors, loading and unloading.

Two new passenger cars and one more engine are in progress of construction for the road.

The road has been much injured by the late freshets, and will require a considerable outlay for construction and repairs. A strong force is now on the road for the purpose.

The right of way is not yet fully settled for. Several cases, where the directors have not been able to settle with the owners, are pending before the Courts. In others we have not been able to find the owner of the fee.

The directors take great satisfaction in being able to say, that no accident has occurred either in the construction or running of the road, by which any serious injury has been sustained by any person.

All of which is respectfully submitted.

C. H. ATHERTON,  
ADDISON GILMORE,  
ISAAC SPALDING,  
JOS. STICKNEY,  
JOSEPH LOW,  
PETER CLARK,  
C. H. PEASLEE,

} Directors  
of the  
Concord  
Railroad  
Corporation.

Nashua, May 30th, 1843.

## REPORT

### OF THE DIRECTORS OF THE AMOSKEAG FALLS BRIDGE CORPORATION, JUNE, 1843.

*To the Honorable Legislature  
of the State of New Hampshire:*

The undersigned, directors of the Amoskeag Falls Bridge, in obedience to the laws of the State of New Hampshire, respectfully, submit the following

#### REPORT:

By an act of the legislature of New Hampshire, approved July 6, 1839, a corporation was created by the name of the Amoskeag Falls Bridge, and the same was organized according to the provisions of said act of incorporation, at a meeting called by the persons named in said act for that purpose, on the 3d day of January, 1842, by the choice of a clerk and board of directors and the adoption of by-laws. At this meeting the act of incorporation with an additional act amendatory of the same, passed at the June session of 1841, was accepted as their charter, a subscription was opened for the stock in said corporation and the same was subscribed for and subsequently, during the next year, less than two acres of land was purchased by deed and a bridge erected across the Merrimack river, at or near Amoskeag Falls, the cost of which, with the land and buildings necessary for the same, was

\$12,069 00

Commenced taking tolls on said bridge November 14, 1842.

Total receipts from same from November 14, 1842,

to June 1, 1843,

\$567 16

Total expenditures during the same time for toll gatherer, repairs and oil for lighting the same at the toll gate,

\$109 27

All of which is respectfully submitted.

GEO. W. KIMBALL, }  
HIRAM BROWN, } Directors.

June 20, 1843.

STATE OF NEW HAMPSHIRE—HILLSBOROUGH, ss.

Personally appeared George W. Kimball and Hiram Brown,

two of the directors of the Amoskeag Falls Bridge corporation, and made oath that the above report, by them subscribed, is true,  
Before me—CHA'S RICHARDSON, Justice of the Peace.

## REPORT

### OF THE DIRECTORS OF THE GRANITE BRIDGE CORPORATION, JUNE, 1843.

Pursuant to the provisions of an act of the General Court of New Hampshire, passed at the June session of said Court in the year 1839, entitled, "an act to incorporate the Granite Bridge," the undersigned, directors of said bridge corporation, have the honor of reporting to the legislature the following statement of the acts and doings, receipts and expenditures of said corporation from the second Wednesday of June, 1842, to the second Wednesday of June, 1843.

*June 5th, 1843.* Pursuant to a notice published in the Manchester Memorial, more than fourteen days previously, the proprietors of the Granite Bridge met at Frederick G. Stark's office in Bedford on Monday the 5th day of June, 1843, at one o'clock P. M. and proceeded to make choice of a clerk, whereupon Frederick G. Stark was duly elected, but not being present, George Stark was chosen clerk *pro tem* and was duly sworn accordingly.

The treasurer then reported that the receipts of the treasury from tolls, and otherwise, during the past year, had amounted to

|   |            |
|---|------------|
| And the disbursements during the same time to | \$1,831 90 |
|   | 1,711 18   |

|                                   |           |
|-----------------------------------|-----------|
| Leaving a balance in his hands of | \$120 72; |
|-----------------------------------|-----------|

whereupon the directors voted to declare a dividend of two dollars on each share, payable on demand.

Proceeded to vote by ballot in choice of directors for the ensuing year, and the following gentlemen were chosen : Frederick G. Stark, William P. Riddle, Daniel Mack, William Patten and David Hamblett.

Proceeded to choose a treasurer and Daniel Mack was chosen and duly sworn.

Voted, to let the bridge as last year, if desired, or, that if people choose, by paying two dollars, they may pass, until the

toll amounts to four dollars, and to all such as pass to the amount of twenty-five dollars, that it be left discretionary with the agent as to the amount of toll.

Voted, That Frederick G. Stark be an agent to let the tolls the ensuing year.

Voted, That Adam Chandler be a committee to attend to the petition to the legislature, for an amendment of our charter.

The meeting was then dissolved.

The undersigned further report, that the balance remaining in the hands of the treasurer last year was

318 14

That the treasurer has received since that time

1831 91

Making

2150 05

Out of which sum there has been paid out in dividends to the stockholders,

1600 00

Leaving

\$550 05

as the current expenses of the corporation for the past year,—which have consisted in *repairs of road and bridge, compensation to the toll gatherer and officers of the corporation, taxes and contingencies*—the items of all which can be shewn, if desired.

All which is respectfully submitted by

WILLIAM P. RIDDLE,

DAVID HAMBLETT,

Directors of the Granite Bridge.

#### STATE OF NEW HAMPSHIRE—HILLSBOROUGH, ss.

June 13th, 1843. Then the above named William P. Riddle and David Hamblett, personally appeared and made oath that the foregoing report by them subscribed is, in their belief, true.

Before me,

FREDERICK G. STARK, Jus. Peace.

## SUPPLEMENTARY REPORT

### OF THE DIRECTORS OF THE GRANITE BRIDGE CORPORATION, JUNE, 1843.

CONCORD, June 19, 1843.

*To the chairman of the standing committee of the Legislature,  
on Roads, Bridges and Canals.*

SIR: Your note to the Directors of the Granite Bridge, of the 15th instant, informing them that the report, made by them to the Legislature at its present session, was not satisfactory, was received by them on Friday evening last, and a meeting of said directors was called on Saturday morning, to take the same into consideration; which meeting was held accordingly, and an investigation made, with a view of answering the questions indicated in your note. And first, we consider the original cost of our *bridge, toll house and road* as the amount of the capital stock, which amount was ascertained and reported to the legislature in June, 1841, and was \$10,281 08. Nine thousand dollars of which had been discharged by assessments upon the shares of the stockholders, and the residue from the moneys received for tolls. *Secondly.* The capital stock in this corporation has been divided into one hundred shares, which fact has also heretofore been reported to the legislature.

*Thirdly.* We have paid out, since the bridge was completed, for repairs, and other incidental expenses, the sum of \$1393 60, which being added to the original cost of the bridge, &c. shows a total outlay of \$11,674 68, exclusive of interest.

*Fourthly.* The whole amount of moneys paid out to the stockholders in dividends up to this time has been 2,600 00

To which add the balance of original cost of the bridge &c. which balance was paid out of money received for toll,

1,248 88,

and it shows our total receipts to have been \$3,548 88, and that a balance is now outstanding against the bridge and in favor of the stockholders of \$7,825 80, besides the interest upon the assessments.

The above calculations are made up to the 5th day of the present month, at which time a settlement was made with our treasurer, and a balance found remaining in his hands of only 64 cents, after paying the dividend declared that day, and all demands known to exist against the corporation, which are both included

in the foregoing estimates, and the discrepancy between this statement and the report of our treasurer given in the report of the directors now before your committee, has arisen in consequence of his having received some arrearages of toll after he made that report, and before the settlement with him, above alluded to.

The undersigned would further observe that they are now in attendance with all the books and papers of the corporation, and ready to extend to your committee every information in relation to the affairs thereof which is in their power.

Most respectfully,

**FREDERICK G. STARK,  
DANIEL MACK,**

Directors of the Granite Bridge Corporation.

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## REPORT

### OF THE COMMITTEE ON BANKS.

The committee on Banks, to whom was referred the report of the Commissioners of the Literary Fund, having had the same under consideration, Report, that they find that the charter of the Strafford Bank will expire July 4, 1843; and that the charters of the Exeter Bank and of the Grafton Bank will expire in 1844; and that neither of said Banks have paid, for the present year, into the Treasury of this State, one half of one per cent of their capital stock, as by law required.

A. GIFFIN, for the committee.

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## REPORT

### OF THE COMMITTEE ON BANKS.

The committee on Banks, to whom was referred the message of His Excellency the Governor, with the reports of the Bank Commissioners and Cashiers' returns from the several Banks in this State, made on the first Monday of June, 1843, report the following abstract of their condition at that time. The committee have not included the N. H. Union and Farmers' Banks, they having ceased to act as banking institutions, except for the purpose of winding up their affairs.

HARVEY HUNTOON, for the Committee.

*Abstract of returns of the Banks in the State of New Hamp-*

|                          | Charters expire | Amount of capital stock. | Debit of stockholders and directors secured by stock. | Value of Real Estate. | Total amount of debts due the Bank. |
|--------------------------|-----------------|--------------------------|---|-----------------------|-------------------------------------|
| New Hampshire Union Bank |                 |                          |   |                       |                                     |
| Farmers Bank             |                 |                          |   |                       |                                     |
| *Portsmouth Bank,        | Renewed 1823    | 100,000                  | 15191 42  | 5883 07               | 111896 65                           |
| Connecticut River Bank   | March 1, 1844   | 60,000                   | 6490 00   | 2799 65               | 126010 25                           |
| *Piscataqua Bank         | 1824            | 300,000                  | 2800 00   | 2592 88               | 318157 82                           |
| *Rockingham Bank         | 1824            | 100,000                  | 8898 90   | 1803 00               | 112231 46                           |
| *Commercial Bank         | 1835            | 144,700                  | 37664 33  |                       | 144278 99                           |
| *Manufacturers Bank      | 1828            | 100,000                  | 14185 85  | 2000 00               | 121492 65                           |
| *Exeter Bank             | 1823            | 100,000                  | 1761 00   | 1000 00               | 118283 77                           |
| *Granite Bank            | 1830            | 100,000                  | 2958 57   | 3926 51               | 127640 29                           |
| Mechanics Bank           | Jan. 1, 1855    | 100,000                  | 16392 54  | 14495 00              | 148080 39                           |
| *Lebanon Bank            | 1829            | 100,000                  | 5262 00   | 1325 00               | 118450 00                           |
| Merrimack County Bank    | 1846            | 100,000                  | 2817 66   | 5000 77               | 146885 18                           |
| *Nashua Bank             | 1830            | 100,000                  |   |                       | 160922 43,                          |
| *Dover Bank              | 1823            | 100,000                  | 5695 00   | 4200 00               | 132356 12                           |
| *Rochester Bank          | 1835            | 100,000                  | 1986 50   | 1348 94               | 124566 58                           |
| Cheshire Bank            | March 1, 1844   | 100,000                  | 9875 00   | 2054 00               | 131875 98                           |
| *Strafford Bank          | 1823            | 100,000                  | 5770 00   | 4500 00               | 121761 66                           |
| *Derry Bank              | 1829            | 100,000                  | 9370 33   | 2000 00               | 120653 07                           |
| Grafton Bank             | Jan. 1, 1844    | 97,500                   |   | 5033 34               | 141177 05                           |
| Winnipissiopee Bank      | Jan. 1, 1846    | 107,000                  | 13351 62  | 3980 20               | 130650 65                           |
| Ashuelot Bank            | Jan. 2, 1853    | 100,000                  | 100 00  | 3597 35               | 146424 51                           |
| Pemigewasset Bank        | March 1, 1845   | 50,000                   | 5255 47   | 3228 71               | 75206 94                            |
| Lancaster Bank           | June 1, 1853    | 50,000                   | 4499 52   | 1105 51               | 90876 40                            |
| Wolfborough Bank         |                 | 100,000                  | 843 15  | 2575 00               | 131363 29                           |
| *Claremont Bank          | 1823            | 60,000                   |   |                       | 72594 72                            |
|                          |                 | 2469200                  | 171368 86   | 74318 93              | 3173825 76                          |

\*Denotes the time when the charter was granted.

shire, showing their condition the first Monday of June, 1843.

| Amount of bills in circulation. | Amount of deposits in other Banks for redemption of bills. | Amount of deposits in the Bank. | Amount of bills of other Banks and Treasury Notes and U. S. Stock. | Amount of specie in vault. | Debts due from Directors as principal and surety. |
|---------------------------------|--|---------------------------------|--|----------------------------|---|
| 24618 00                        | 49580 08   | 46826 20                        | 3369 51  | 4634 26                    |   |
| 53441 00                        | 11541 00   | 27304 49                        | 4772 00  | 5375 40                    | 244 60  |
| 70893 00                        | 24868 51   | 43640 14                        | 72901 24   | 11291 37                   | 2541 00   |
| 17584 00                        | 25307 08   | 33134 67                        | 5231 36  | 10459 53                   |   |
| 43242 00                        | 38019 69   | 30261 81                        | 53122 77   | 13847 21                   | 2173 00   |
| 43849 00                        | 17616 09   | 1004 72                         | 2279 00  | 5106 43                    | 6160 00   |
| 36165 00                        | 30793 37   | 7250 50                         | 1468 00  | 3051 97                    | 561 00  |
| 38260 00                        | 11294 26   | 6975 03                         | 2730 00  | 5252 69                    | 6423 60   |
| 55683 00                        | 9858 04  | 22396 36                        | 2121 00  | 8079 84                    | 4845 00   |
| 57826 00                        | 13522 72   | 2791 06                         | 5993 00  | 7221 68                    | 1793 00   |
| 54952 00                        | 5206 10  | 9037 58                         | 4646 40  | 22393 64                   | 1775 00   |
| 71532 00                        | 27674 58   | 18896 96                        | 3543 00  | 10362 47                   |   |
| 42849 00                        | 13312 39   | 14760 14                        | 5324 75  | 8137 69                    | 135 00  |
| 39772 00                        | 19182 77   | 11412 39                        | 1004 00  | 8074 19                    | 890 00  |
| 38750 00                        | 8018 56  | 4606 63                         | 631 00   | 4209 72                    | 16600 00  |
| 35609 00                        | 17479 54   | 10315 02                        | 3213 60  | 10949 96                   | 541 00  |
| 33504 00                        | 16762 34   | 14308 65                        | 332 00   | 3573 10                    | 3231 91   |
| 22142 50                        | 2091 02  | 13853 89                        | 4621 50  | 5544 96                    | 18558 37  |
| 40341 00                        | 9994 96  | 1012 71                         | 1809 00  | 4820 25                    | 1042 00   |
| 50650 00                        | 4898 45  | 5557 40                         | 629 50   | 4293 36                    | 21552 56  |
| 22976 00                        | 398 58   | 4243 08                         | 769 00   | 2207 46                    | 1344 50   |
| 33874 00                        | 4274 26  | 20258 75                        | 897 00   | 810 86                     | 2968 09   |
| 16352 00                        |  |                                 |  | 3 10                       |   |
| 11283 00                        | 2000 00  | 4577 43                         | 1317 00  | 825 75                     |   |
| 916147 50                       | 365674 39  | 354395 61                       | 182743 63  | 162126 89                  | 93380 63  |

## REPORT

### OF THE STANDING COMMITTEE ON THE STATE PRISON.

The standing committee on the State Prison, to whom were referred the reports of the Warden, Physician and Chaplain of that institution, with instructions to inquire into the treatment and discipline of its convicts and the general management of its affairs, also that portion of the Governor's message, that relates to the State Prison, having, so far as they have been able, attended to the duties assigned them,

### REPORT,

That in consequence of the numerous rumors in circulation, some of which had found their way into the public prints, charging upon the officers of the prison unnecessary severity, and even cruelty in the infliction of punishment upon the unfortunate prisoners under their care, the committee deemed it due to the character of those officers, not less than to the reputation and honor of the State, that such an investigation should be had as would satisfy the public mind of the truth or falsity of those various charges. They accordingly repaired to the Prison and caused the whole body of convicts to be marched into the hall before them, each prisoner, as he passed, exposing to the view of the committee his naked back. All those upon whose person marks were discovered were noted, and with a single exception, each man was subsequently called separately before the committee, and examined particularly in relation to the punishments inflicted upon himself and his general treatment during his confinement. Of twelve convicts, thus called before and examined by the committee, three stated that they had never been punished at all while in the prison. Of the remaining nine, three only recollected the date of their last whipping; one had been whipped last week, one a month since and the other two years ago last May. With one exception, no one of the nine had been whipped more than four times, and all agreed in saying they had never been punished with great or unnecessary severity. Of the whole nine, two said they had been whipped four times each. Of these one had been confined twelve years and the other two. Two said they had been whipped three times each, of whom one had been confined sixteen months and the other two years and seven months. Two

said they had been whipped twice each, and of these one had been in confinement four years and received one of his punishments from Capt. Pillsbury, late warden, and the other had been confined three years and a half, and stated that his punishments were very slight, that he had been always well treated, and had no cause of complaint. Two informed the committee that they had been whipped two or three times they could not tell which; of whom one had been imprisoned twelve years and the other six months. Four stated that they had each been once whipped, during their imprisonment with a green hide. All the other flagellations had been inflicted with a small instrument, denominated a cat, consisting of a stick about sixteen inches in length, to one end of which are attached nine small linen strings, each perhaps ten inches in length, the whole forming a light instrument of punishment. Two only had been punished, once each, with the shower bath, a mode of punishment occasionally resorted to heretofore, but which has been abolished by the warden as entirely useless and ineffectual. One of the nine stated that he had been whipped thirty times or more, he could not tell how many. On being asked the cause of his whippings, he said his eye-sight left him—the work was too hard and he wished to have other work. All the twelve concurred in stating that they were well treated, had enough to eat and no just cause for complaint, except the convict just mentioned, who thought his work too hard and preferred some different employment.

Having completed the examination of these convicts, in the manner hereinbefore indicated, the committee proceeded to take the testimony of the warden, deputy warden, one of the watchmen and one of the overseers in relation to the management and discipline of the prison. From these it appeared that punishment had been inflicted at the prison from twenty to thirty times a year, of various kinds. In more than half of the cases, whipping by the cat before described, in a very slight degree, was the punishment inflicted. Whipping with a green hide had been inflicted only two or three times during the past year. The shower bath had been employed as a mode of punishment two or three times a year, while in use, but proving ineffectual, had been abolished. Three had been placed in solitary, as a punishment, during the past year, of whom one was kept over night and the other two, each, a few hours only. The warden stated that he had made it an invariable practice never to inflict punishment for the first offence, and the deputy makes it a rule always, when the warden is at home, to report every complaint to him and let him direct the punishment.

As the result of these investigations into the treatment and mode of discipline of the convicts in the State Prison, the committee are satisfied that there is but little foundation for the numerous and diversified rumors afloat, prejudicial to the character of the officers of the institution. On the other hand they are convinced from an examination of the convicts themselves, and from inquiries of various persons, well acquainted with the management and discipline of the prison, that no inhumanly or unnecessary severity has been exercised towards the convicts in the disciplinary punishments to which they have been subjected. Nothing more has been done in this behalf, in the opinion of the committee, than the preservation of good order and an excellent state of discipline, and a strict enforcement of the rules of the prison demanded. The convicts are well fed, with an abundance of substantial and wholesome food. They are substantially and sufficiently clad, and a high state of cleanliness is preserved in the cells, shops and other apartments of the institution. Their labor is hard, as it ought to be, but not oppressive or injurious to health, as abundantly proved by the appearance of the prisoners and the reports of the physician for the last two years.

The only instance of improper harshness or severity which came to the knowledge of the committee in their investigation of the treatment of the prisoners by the officers of the institution, was found in the conduct of the overseer of the smith shop, who under a sudden impulse and provocation, improperly and inhumanly struck one of the convicts. For this he was reported to the warden, who reproved him for his misconduct and threatened him with an immediate discharge from employment if he ever again attempted to correct or in any way lay forcible hands upon a convict, for the purpose of punishing him for the offence he might have committed.

The committee made such inquiries in relation to the character and habits of the warden as time and opportunity permitted them to make. They learned that he was somewhat devoted to hunting, fishing and the like innocent and healthful sports, so much more pursued in other parts of the country than in this, but are happy in reporting that they found no evidence going to impeach his moral habits, or to show that the interests of the State had materially suffered by his fondness for these amusements.

The committee made some examination of the books and accounts of the prison. They are very neatly and methodically kept, and the committee are satisfied of their general accuracy and correctness. Indeed, so far as the operations of the prison for the last year are concerned, the committee were able neither

to discover or elicit any discrepancy between the facts as they exist—the results exhibited by the books of the prison and those communicated to the legislature by the warden's report, save that two small accounts against the institution have not been entered upon those books as outstanding debts against the prison, as they should have been. These are an account due Porter & Rolfe, from April 30, 1842, to April 30, 1843, of \$100 12, and another due Ebenezer Hall, within the same period, of \$70 67, amounting together to \$170 69; deducting this amount from the sum stated by the warden, in his report, as the excess of income over expenditures at the prison, for the last year, (\$758 36) and there remains \$587 57. This last sum is the true apparent excess of income over expenditures for the last year, so far as facts have come to the knowledge of the committee. Similar omissions upon the books for the year ending April 30, 1842, were also found to exist, one of these is an account in favor of Porter & Rolfe, of \$268 20, which is still unpaid. Another is an omission to enter upon the credit side of the consignment account of Elmer Townsend, the amount of his charges for commissions, &c., \$1182 73. This last omission operates to make the present nominal amount of the balance due the prison on book account, which constitutes one item of the stock account, too large by that sum.

The committee found upon investigation, a more important error in the account for the year ending April 30, 1842, and which they regret to say, seems far more reprehensible than those to which they have already adverted. It appeared in evidence before them, upon the testimony of Luther C. Pillsbury, deputy warden of the prison, by whom the books have been kept, and from whose testimony, under oath, the errors and omissions hereinbefore mentioned were elicited, that upon striking the balance of the several accounts preparatory to the annual report for that year, it was found that there had been a loss to the institution from the operations of the year, as appeared by the books, of \$1433 85. In order to avoid the communication of this result to the legislature, the warden instructed Mr. Pillsbury, as he says, to make suspense account debtor to cabinet shop, as of date April 30, 1842, to depreciation on stock, tools and manufactured articles charged this shop, \$1000 00; and also to make the State of New Hampshire Dr. to cabinet shop, as of the same date, to stock and labor of men in repairing of walls and other improvements, \$654 00; and that he made the entries agreeably to those instructions, there being no foundation in truth for such entries. The effect of these entries was to make cabinet shop credit to

the amount of \$1654 00 more than it was actually entitled to receive; thus increasing the profits of that shop by that sum, beyond its actual nominal profits; that is, making them \$2658 72 as stated in the report for the year ending April 30, 1842, instead of \$1004 72, as they actually appeared to be from the books of the prison before these fictitious entries were made. The consequence in the aggregate result of the income and expenditure account, was an apparent excess of income over expenditure equal to the difference between the amount of these fictitious entries, \$1654 00, and the actual loss to the institution from the operations of the year, \$1433 85; being the sum of \$220 15; which is represented in the warden's report for last year as actual nominal excess. Subsequently, in order to explain the credit to cabinet shop of \$1000, for depreciation in stock, charged that shop, Mr. Pillsbury says the warden directed him to increase the account of stock actually charged, by adding thereto a fictitious entry of 200 cords of wood at \$2 50 per cord, amounting to \$500, and in a lot of lumber inventoried at \$10, the warden directed the deputy to prefix the figure 5 before 10, making \$510; and that he made the entries accordingly. These last entries were made in June, 1842, while the legislature was in session, and while the committee on the State Prison were investigating its affairs. As a result of these last fictitious entries, a further misrepresentation ensued. The \$1000 thereby charged to suspense account, was carried to stock account, and there it still remains as a nominal fund of the institution, never in fact having had any real existence.

The whole effect of these fictitious entries and counter entries, as the committee understand them, was to make out an apparent excess of income over expenditures for the year ending April 30, 1842, of \$220 15, instead of exhibiting an apparent excess of expenditures above income of \$1433 85, as the books would otherwise have shown. The committee hardly know which to consider the more reprehensible, the folly of the act which directed the entries or the folly of the motive which prompted to it.

It is due from the committee to the deputy warden to remark, that he says he objected and remonstrated against making the entries as directed by the warden, but did not feel at liberty, situated as he was, to refuse to make them, or to disclose the imposition thereby practiced upon the legislature, unless called upon by a committee appointed by that body.

From the foregoing facts and statements, it will be perceived that the nominal pecuniary condition and success of the State Prison for the last two years, is not correctly represented in the annual reports of the warden: so far from it, that a very consider-

able aggregate loss has been made, during the two years, as follows:

|   |           |
|---|-----------|
| Excess of expenditures over income for 1841-2, as it would have appeared from the books of the prison but for fictitious entries, | \$1433 85 |
| Add debt due Porter & Rolfe, that year not entered on the books,  | 268 20    |

And the total loss for the year, so far as ascertained, is \$1702 05

From excess of income over expenditures for the present year, stated by the warden in his last report, 758 36

|                                     |        |        |        |
|-------------------------------------|--------|--------|--------|
| Deduct accounts due Porter & Rolfe, | 100 12 |        |        |
| And account of Eben'r Hall,         | 70 67  | 170 79 | 589 67 |

Making a total loss for the last two years of \$1114 48

To this some portion, probably the larger, of Elmer Townsend, \$1182 73, against the prison, should be added. Adding the whole of it as it all accrued, as the committee believe, since February, 1841, 1182 73

And the loss for two years is augmented to \$2297 21

To this should undoubtedly be added something considerable for outstanding claims not shown by the books of the institution, and which have not come to the knowledge of the committee.

In concluding their present report, the committee would remark, that it will readily be perceived from the same, that a great portion of the stock account mentioned in the warden's last report, is altogether nominal, fictitious and worthless. This will be apparent from the facts already stated, that in its first item is included \$1000 from suspense account, being the proceeds of the fictitious entries of which the details have been given, and also, \$1182 73 in the fourth item, which is offset by Elmer Townsend's account against the prison for that sum. In the same item is also included a large account against Gordon Burley, the collection of even the balance of which may be considered somewhat dubious. But the committee will not dwell longer on this subject at present, as they hope, in a subsequent report, to be able to give the value of this account, as estimated by persons appointed by this committee, under the instructions of the House, to ascertain its true worth.

ROBERT THOMPSON, for the committee.

## REPORT

### OF THE COMMITTEE ON THE STATE PRISON.

The Committee on the State Prison, to whom was referred the bill relating to the government of the State Prison, have had the same under consideration, and have directed me to make the following Report,

C. W. BREWSTER, for the Committee.

The investigation which this bill has led the committee to make, has necessarily brought before them not only the corporeal mode by which discipline is maintained, but also the nature and extent of the moral and religious influence which is brought to bear upon the convicts, to promote that "reformation of criminals" which is contemplated in the law of the Revised Statutes on the State Prison. While they find the order of the Prison is maintained with a regularity which needs no improvement, they cannot but think that with the rigorous severity necessary to be observed in such an institution, there is too great a destitution of moral and religious influence.

The committee find that only about fifty dollars per year are applied for the purpose of instructing convicts on the Sabbath; and that consequently the Chaplain has to depend upon other resources for his support, and can devote but one or two hours to the convicts on that day. He visits the convicts in their cells but once in three months, when from his own resources he presents each one with a religious tract, and imparts personal instruction to them.

They receive no other instruction from the Chaplain; nor can more be expected of one in his situation.

In the penitentiaries of Massachusetts, Vermont, Connecticut, and other States, Chaplains are regularly employed, who spend the Sabbath in the Prisons, and in many of these institutions morning and evening services are daily attended in the chapels. The warden of the Connecticut Penitentiary stated to the committee that the influence of these regular and frequent services was so beneficial in maintaining a good deportment among the inmates, that he should be unwilling to part with it on that account, had he no regard for the improvement of the moral condition of the convicts. Connected with other State Prisons are convenient chapels. The room used for religious services in the New Hampshire State Prison is too small, and ill adapted to the purpose for which it is used. The convicts being thus left without

adequate religious instruction, it is no matter of wonder that those who have charge of the Prison should come to the decided conclusion, that "*seldom or ever was there a convict improved in his moral character by his confinement.*"

Under their present deprivations, the convicts regard the Sabbath as their most wretched day. They are fellow-beings, and however degraded they may have made themselves, they should receive that moral instruction which will tend to make them better men. If they are not placed under such influences, the object for which they are imprisoned is but half accomplished, and the discharge from prison will continue to be a danger to society.

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## REPORT

### OF THE COMMITTEE ON MILITARY AFFAIRS.

The committee on Military Affairs, to whom was referred the resolution, directing them to inquire into the expediency of instructing our Senators and requesting our Representatives in Congress to use their efforts to abolish the Military Academy at West Point, having had the same under consideration, unanimously report the following preamble and resolutions.

#### PREAMBLE.

The military defence of our country is doubtless one of the most important duties imposed upon the people by the framers of the national constitution. This requirement being imposed upon the great mass, it then follows, as a matter of course, with the imposition of this obligation upon the people, the citizen soldiery, that the general government is in duty bound to make all proper provision for disseminating military knowledge, and for disciplining, not only officers, but soldiers also, in the art of war, that thus we may at all times be prepared for any and all emergencies whatever. All governments that do not discriminate between military systems, and adopt that which is most congenial with the principles of their state policies, are guilty of political suicide. We are well aware, that although a standing army and its consequent evil, a military aristocracy, may be congenial with the genius of monarchical governments, and necessary for the safety of the same; yet with a government like ours, it is not only unne-

cessary, but incompatible and absolutely dangerous to the safety of our free institutions, and the only safe and proper substitute is the militia—the citizen soldiery. Power deposited in their hands is always safe, and never will be exhibited in practice, except in repelling the invaders of our country. It is a fact well known probably to all, that the general government annually expends more money for the support of the military defences than for any other object ; and it may not be improper for the people to know how and where it is expended.

One very important item in the account, is the annual large appropriations for the support of the Military Academy at West Point, in addition to the large sums expended to establish the institution. And why this expenditure ? Does the good of the country demand it ? We are of opinion that whatever this institution may have been in its early state, it certainly does not at the present time, as we believe, answer the purpose that the country have a right to expect from an institution of this kind. We consider it no less than a charity school of aristocracy—that its influence and practices are wholly and entirely inconsistent with the genius of our republican institutions, decidedly hostile to our militia, and subversive of the rights of the citizen soldiery. Provision is made by law for educating two hundred and fifty cadets at this seminary, at the public expense, and to complete the course of instruction requires four years. The number of graduates annually, therefore, cannot exceed 62, and for the last thirty years has not averaged more than about forty ; and the people are taxed to the amount of from five to six thousand dollars for every officer educated here. Notwithstanding this heavy tax on the public, it does not in the most remote degree, aid in the discipline of the militia.

The organization of the seminary is also in direct violation of the fundamental principles of our republican policy of government, which guaranties that stations of honor, trust and emolument shall be equally open to all. The regulations of the department require that the vacancies for offices that occur in the army shall be filled by the graduates of West Point, and by them only. The consequence of such an arrangement is that every young man in the United States, who has attained the age of 21 years, unless he happen to be one of the select two hundred and fifty, whom executive favor has placed in this public charity school, to be educated at the public expense, is utterly and forever excluded from holding any office of honor, trust or emolument in the military service of our country, however meritorious and deserving he may be of the trust. And this brings us to an-

other very objectionable feature in this institution, which is the mode of selecting candidates for this school. This is made a mere matter of favoritism, and young men almost invariably are taken from the families of rich, influential men—young men, too, who have been brought up in a manner that would better fit them for the drawing room than the tented field. They in this way obtain a finished education at the expense of the public, as well as a reputation among the fashionables of the day. After having obtained an education, when their services in the field are needed, they; many of them, tender their resignations instead of their services. It has been stated on good authority that during the first year of the Florida war, one hundred and seventeen officers resigned, and during the war, between two and three hundred of these *dandy* officers actually sent in their resignations. Thus after educating them, the government is not able to command their services when most needed, and it is a notorious fact, that government was much troubled for want of officers during the conflict with the Seminole savages. We would not be understood as saying or intimating that good officers do not come forth from this school, but we do pretend to say, that we believe that the evils connected with and growing out of its ill-management, are of such magnitude that its perpetuity is entirely unjustifiable. If our militia has depreciated in efficiency, it may to a great degree be attributed to the baneful influence of this nucleus of aristocracy, which has already cost the government more than *eight millions* of dollars.

It is to be regretted that this school, after having been in full operation on its present enlarged plan more than thirty years, graduating forty or upwards annually, making in all from twelve to fifteen hundred, at an expense of more than \$200,000 annually, and yet it fails to furnish officers for our small military defence, except in times of actual peace.

The minority of the Board of Visitors appointed to visit West Point, June 25th, 1840, in their report, use the following language:—"During the period of panic, while the Seminoles were butchering our fellow citizens in Florida, the graduates of West Point in large numbers resigned their commissions. Having received an education from the country, which enabled them to command a salary of a few more dollars annually, in civil life, than that paid for defending the lives and property of our people at the posts of danger, they hesitated not to embrace it, and in this exigency the government had to seek from the ranks and ploughmen, men of talents and spirit to supply their places. When we compare the spirit and patriotism of the ancient American soldiery with the resignations which have taken place since

the commencement of the Seminole hostilities, the contrast is humiliating."

What compensation have the people received in return for the vast sum of money expended on this institution since its establishment? Let the events of the inglorious Florida war, contrasted with the daring and brilliant achievements of our citizen soldiers against the Indians, when their energies were directed by a Clarke, a Wayne, a Jackson, a Harrison, a Johnson, whose education never cost the people a cent, answer the question.

It is the duty of statesmen, legislators and patriots to inquire into the cause of all public abuses and evils, and provide such remedies as they, in their wisdom, may deem most conducive to the public weal. Your committee therefore subjoin the accompanying resolutions for your consideration :

*Resolved by the Senate and House of Representatives in General Court convened,* That the Military Academy at West Point is undeserving of our farther patronage and support, and our Senators in Congress are instructed and our Representatives are requested, not only in future to vote against all appropriations for the support of the aforesaid institution, but to vote for and use their efforts to have the same entirely abolished.

*Resolved,* That the Secretary of State be directed to transmit to each of said Senators and Representatives, an authenticated copy of the foregoing resolution.

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## A RESOLUTION

### IN RELATION TO IMPRISONMENT OF CITIZENS IN ANOTHER STATE ON ACCOUNT OF COLOR.

*RESOLVED by the Senate and House of Representatives in General Court convened,* That the imprisonment of any citizen of New Hampshire, by the authority of any State in the Union without the allegation of the commission of any crime, and solely on account of his color, is a gross violation of the federal constitution, as well as the principles of rational liberty.

*Resolved,* That whenever the Governor of this State shall be applied to in behalf of any citizen imprisoned as aforesaid, and it

shall appear to him, by a representation under oath, made by any creditable person, that such person so imprisoned, is held in prison on account of his color only, it shall be the duty of the Governor, forthwith to take all suitable and proper measures to cause such citizen to be discharged from his imprisonment; and the legality of such imprisonment to be tried and determined by the courts of the United States; and the Governor may draw his warrant on the Treasury of the State to defray any reasonable and necessary expense thereby incurred.

*Resolved*, That the Governor be requested to transmit a copy of these resolves to the Governors of the several States to be communicated to the Legislatures thereof.

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## MINORITY REPORT

### OF THE COMMITTEE ON TOWNS AND PARISHES IN RELATION TO THE TOWNS OF NASHUA AND NASHVILLE.

The undersigned, a minority of the standing committee on Towns and Parishes, to whom was referred the bill entitled "An act in amendment of an act entitled an act to constitute the town of Nashville," dissenting from the views of the majority of said committee, ask leave to report, that by an act of the Legislature, passed at the June session, 1842, the town of Nashua was divided, and a new town incorporated by the name of Nashville. This measure was adopted upon the application of certain citizens residing within the limits of the new town, and without notice to the town or to the citizens thereof interested in opposing the measure. In the division of the public property as provided for by the act, no opportunity was given to any persons interested to be heard on the subject, other than those by whom the application was urged and they had a full opportunity to present to the Legislature all the considerations affecting favorably their interests in the matter. By the provisions of the act the public property is divided in the proportion of \$1 37-100 to Nashua and \$1 to Nashville. This property consists of the poor farm, a small portion of the surplus revenue, and a small farm known as the Abel Robbins place; and the present town of Nashua, never having had an opportunity to be heard on the subject of the division of the

property until the present session of the Legislature, while the interests and claims of the town of Nashville have been fully represented and advocated, and the division in fact made agreeably to their views and wishes, now asks for a reconsideration of this apportionment of the public property, and a more equitable division thereof upon the following grounds :—

1st. That the town of Nashua is burthened with a heavy debt, while the town of Nashville is free from debt, and that a large portion of this debt of the town of Nashua was incurred under an unanimous vote of the town, passed prior to the division, and that a large portion of the debt was incurred for the express accommodation and convenience of citizens residing in that part of the town which is now Nashville.

2nd. That by the provisions of the act a much larger proportion of the paupers beyond the ratio prescribed for the division of the property is thrown upon Nashua than on Nashville.

3rd. That the Abel Robbins place was deeded to the town of Nashua solely for the support of said Abel Robbins and family, and that he is now maintained upon the poor farm in said town, and by the provisions of the act has his settlement therein.

In the course of their enquiries upon this subject the committee gave opportunity to both towns to be heard, and an extended examination was had. The facts bearing upon the merits of the question as they have resulted from our enquiries are in the view of the undersigned as follows :

At the annual meeting of the town of Nashua in March, 1842, a vote was passed with entire unanimity, or nearly so, for building a town house, and prescribing the kind of house to be built. The motion upon which this vote was taken was made and advocated by citizens residing in that part of the town which is now Nashville, and was sustained by a full vote of the whole town. The question being then taken after a full discussion of the subject, upon the location of the house, resulted in a vote of 582 in favor of the south side of the Nashua river, to 396 in favor of the north side. In pursuance of these votes of the town, a lot was purchased, situated in reference to the centre of the population and territory more favorably for the citizens residing in that part of the town which is now Nashville than for the citizens of other parts of the town. Large contracts had been entered into binding on the town for materials, and nearly the whole of the foundation and basement walls had been laid, when the act constituting the town of Nashville was passed. An abandonment of the work then, or a material alteration of the plan of the building, must have been attended with very heavy loss to the town, and a very

considerable proportion of the expense incurred in building said house was incurred in consulting the convenience and interests of those citizens residing in that part of the town which is now Nashville. Upon these grounds the undersigned consider the claim of Nashua to a more favorable division of the property to be perfectly equitable and just. At the same time we regard it as one which should meet the favorable consideration of the Legislature for reasons of public policy, inasmuch as it cannot be for the public interest, that a portion of the citizens of any town should be permitted to escape from their just share of the liabilities, which they have contributed to assume, nor be sustained in any proceedings, the design of which is to defeat the will of the majority. In regard to the proportion of the paupers to be supported by the two towns respectively, the undersigned consider the position taken by the town of Nashua to be sustained by the fact. An undue proportion of the paupers supported at the poor establishments in the two towns, and having their settlement in the respective towns, is thrown upon the town of Nashua, and in relation to the farm known as the Abel Robbins place, it is difficult to conceive upon what fair and honest ground the division of that farm can be required. It was deeded to the town of Nashua for no other consideration than the liability of that town to support said Robbins and his family. It became in the hands of the town in some respect as a trust fund to be expended for his comfort and support. He is now receiving that comfort and support at the poor establishment in Nashua, and by the provisions of the act dividing the town, he and his numerous descendants deriving their settlement from him, are given a settlement in the present town of Nashua, and Nashville is entirely exonerated from all liability for their support. So flagrant an act of injustice to the town of Nashua as giving away a portion of this farm to Nashville, while that town is fully released from all obligation to fulfil the purposes for which it was deeded to the town, can be accounted for only on the ground that the Legislature acted upon the representations of one only of the parties interested; and without a full knowledge of the facts in the case. If such injustice has been done to any portion of our constituents by the hasty and inconsiderate legislation of our predecessors, it becomes our duty to restore them to the full enjoyment of their rights. Entertaining these views the undersigned ask leave to report to the House the bill entitled "An act in amendment of an act to constitute the town of Nashville."

**HENRY S. TUDOR,**

**TIMOTHY COOK,**

**EDWARD M. BISSELL.**

**STATE OF NEW HAMPSHIRE.**

In the year of our Lord one thousand eight hundred and forty-two.

An act in amendment of an act entitled an act to constitute the town of Nashville, passed 23d June, 1842.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court convened,* That the southerly boundary of the town of Nashville, shall be the Nashua river from the east line of the town of Hollis, to the mouth of said river, and all the territory lying between said Nashua river, and the southerly line of said Nashville as constituted by the act to which this is an amendment, shall be annexed to, and made a part of the town of Nashua, in the county of Hillsborough.

SEC. 2. *And be it further enacted,* That said town of Nashua may hold and retain for the sole and exclusive use of said town, such of the real and personal estate, including the public money deposited with said town, and other than the site and materials for the town house in said town, which at the time of the passage of the act to which this is an amendment, was owned by said town, as said town may elect, not exceeding ten thousand dollars in value, and the provisions of the second section of the act to which this is an amendment, shall not be held to apply to such of said estate, as may be elected to be so held and retained by said town, and in no case shall the town of Nashua be held liable to pay to the town of Nashville, for any portion of the public property belonging to said towns which may be set off or assigned to said Nashua, by any committee appointed pursuant to the provisions of said second section.

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**REPORT****OF THE COMMITTEE ON THE JUDICIARY ON THE  
PETITION OF JOHN McDANIEL.**

The committee on the Judiciary, to whom was referred the memorial of John McDaniel, praying that the power to prescribe the rules, regulations and provisions contemplated in the 5th section of the act of incorporation of the Concord Railroad, may be taken from the Directors of said corporation and conferred upon a Board of Commissioners, to be chosen by the legis-

lature, or appointed by the Governor and Council, or that some other enactments may be made which will make the provisions of said section operative, and protect equally the rights of the citizen and of the corporation, have considered said subject.

The 5th section of said act of incorporation, among other things provides that "the transportation of persons and property, the construction of wheels, the forms of cars and carriages, the weight of loads, and all other matters and things in relation to the use of said road, shall be in conformity to such rules, regulations and provisions as the directors shall from time to time prescribe and direct, and said road may be used by any person or persons who shall comply with such rules and regulations."

It appeared before your committee that previous to the presentation of said memorial, on the 22d day of May, 1843, the petitioner made application by letter to the directors of said corporation, in which he stated that he desired to avail himself of the rights contemplated in said 5th section, by using the road in running his own cars upon it, and requested that the corporation would communicate to him a copy of the rules and regulations, by which he was to be governed in using said road. In reply to this request, the corporation, on the 13th day of June, 1843, furnished to the petitioner the "rules and regulations," of which the following are a copy :

*Rules and Regulations for the use of the Concord Railroad,  
adopted at a meeting of the Board of Directors, holden  
at Concord, on the 13th of June, 1843.*

1. The engine must correspond in width to the track as now laid down, and be of a suitable size and strength to pass over the road not taking more than one and three quarters hours with passengers and three hours with freight.

2. The cars used must correspond in size, material and finish with those now in use by the corporation.

3. The time of running both freight and passenger trains will be designated from time to time as the safety of the trains may require, and they will be at the sole risk of the owners, they being liable for any accidents or damages growing out of any fault of theirs or those employed by them.

4. The tolls for freight or passengers will be the same as taken by the corporation, less for the motive power, finding of cars and doing such other things as is necessary in carrying on the business, seventy cents per ton on merchandize, and eight cents for each passenger going over the whole road, and at rates in proportion for any less distance.

5. The payment of freight and passengers must be made daily to the corporation.

6. The corporation will, so far as they can conveniently do so, furnish or rent lands on reasonable terms for the purposes of depots, engine-houses, &c., but the persons using said lands will have the sole charge of the switches going on to said lands, and will be liable to the corporation for any damage that may occur to the property of the corporation in consequence of the negligence of the switch-man, or from other causes arising from said switches or turnouts.

7. The load on any single freight car must not exceed 8000 lbs.

8. Bonds with sufficient sureties must be given to save harmless the corporation from all losses or damage, on account of such passengers and freight not arising from any fault on the part of the corporation or its agents, it being understood that the corporation will be liable for damage to said owners arising from any fault on the part of said corporation, during such time as said owners are entitled to the road as designated.

9. These rules and regulations will be subject to alterations from time to time, as the changes of business, and the interest and safety of the public may require, in all which cases reasonable notice will be given.

Concord, June 13, 1843.

Copy—attest—J. H. ELLIOTT.

It was objected on the part of the petitioner that it would be entirely impossible for him or any other individual or individuals, under the foregoing rules and regulations, to run their cars upon the road, as is supposed to be contemplated in the 5th section of said act of incorporation, that if it were physically practicable to run his cars at all, it could not be done under those rules and regulations, without great damage and loss, and that the experiment, if continued under such terms, must be ruinous to all concerned in it, for the following reasons :

1. The necessary operation and effect of the requirement on the part of the corporation, that his "cars must correspond in *size, material and finish* with those now in use by the corporation."

2. The fact that, in the language of the 3d rule, "the time of running both freight and passenger trains will be designated from time to time" (by the corporation) "as the safety of their trains may require," leaving the whole matter at the control and pleasure of the corporation, subject to be regulated and altered by them from time to time, as their interest or caprice might dictate.

3. The fact that the corporation will allow the petitioner, out of moneys received for passengers and freight carried by him, only "seventy cents per ton on merchandize, and eight cents for each passenger going over the whole road" (from Concord to Nashua) "and at rates in proportion for any less distance," the corporation keeping the remainder so received, to themselves. It appeared that the rates received by the corporation for passengers and freight carried by themselves were, for the same distance, \$2 per ton for freight and \$1 25 for each passenger.

4. The requirement that "the payment of freight and passengers must be" (by the petitioner) "made *daily* to the corporation." It appeared on investigation that the terms of the corporation for freight were, in the words of the superintendent, "cash on delivery, but that to persons in this immediate vicinity, goods are often delivered with the understanding that the freight must be paid whenever the bill is presented, and our bills are uniformly presented, if not before, at the close of each month."

5. The fact that even *these* rules and regulations will, in the words of the 9th and last article, "be subject to alterations from time to time, as the changes of business and the interest and safety of the public may require."

Upon the suggestion of these and similar difficulties, at the petitioner's request, a hearing of both parties, with their counsel, was had before the committee, and a series of written interrogatories was proposed to the corporation, which were answered by them through their superintendent, Hon. N. G. Upham. It is not deemed necessary for the purposes of this report, to go into a detail of the interrogatories or answers, both of which are herewith submitted to the House. They were principally relating to the points of objection above noticed, and to some other matters not particularly bearing upon the subject of this investigation.

In reply to a question from the petitioner, "if an individual or company of individuals should incur the same expense in the construction of suitable depots, engine-houses, cars, workmen, and all incidental expenses, excepting the track, that have for the same purposes been incurred by the corporation, and should do the same amount of business that has been done by the corporation, with the same prudence and economy, whether 8 cents per passenger and 70 cents per ton for freight would be sufficient to meet the expenses and pay the interest on the original outlay?" the superintendent replied, that "it would not, and should not for reasons above stated," and that "notwithstanding the common carrier would realize no profit in doing business under these rules and regulations, still the corporation would be

greatly the sufferer, should any one attempt to do business on the road on the terms proposed."

The superintendent in another answer also says, "it is quite clear, as I think, for the reasons previously stated, that the competition proposed to be started, in this case, would be ruinous to both parties concerned in it, and any competition of such a character is never, in my belief, advantageous to the public."

The petitioner also proposed the following question: "Did the board of directors, at the time the rules and regulations now before the committee were prescribed, believe that an individual or any number of individuals could place their cars upon the road and run them, subject to the rules and regulations already prescribed and such as are reserved for the discretion of the board, with benefit to the public, and without bankruptcy to themselves?" To which the superintendent replied as follows: "This question is supposed to be fully answered in my replies to previous interrogatories, so far as regards my own opinion, and I have no reason to believe that the board of directors differ from me in their views."

For reasons above disclosed, and for others too obvious to require mention, your committee are not disposed to recommend any legislation which shall involve the State in a partnership and association with this or any other railroad corporation. We think that any such connection would be disastrous to the State, to the corporation and to the individuals who might be concerned in the enterprize proposed. We think that the lessons taught by the experience of other States who have involved themselves in similar connections with corporate institutions, are sufficient to satisfy all of the ruinous effects of such a policy.

The matters disclosed in this investigation served strongly to confirm your committee in their belief previously entertained, that this and other similar provisions in railroads charters, can in no case of which the committee can conceive, be of the least advantage either to individuals or to the public, and that they can be of no other service to the corporations, except as affording them, in some cases, a very doubtful ground for a very questionable argument in favor of the right and power of these bodies, arbitrarily and unconstitutionally to wrest the property of individuals from them without their consent. It is very certain that the existence of this clause has been so used in our own State, and the committee are aware of no other use that has, in this country, ever been made of it. Although your committee are unable to perceive the force of the argument that has thus been raised, they are of the opinion that the ground and the pretext upon which it is based, had better be removed. No part of the legislative pol-

icy of New Hampshire seems to be better settled at this time, than that these corporations shall not be permitted to take the property of individuals without their consent.

It would then seem desirable to remove, where it may be so easily done, one of the principal grounds of the opposition that is made to this salutary policy, how unsubstantial soever this ground of opposition may in our belief be. Could any benefit be derived to the public or to individuals from the existence of this clause in railroad charters, there might, perhaps, be alleged some objection to its repeal. But your committee are unable to perceive that any such benefit can accrue. The corporation themselves, in this case, expressly admit that the exercise, by individuals, of the right which this clause purports to give, must, if continued, be ruinous to the individuals embarking in the enterprise, and to the corporation. The superintendent, in his words above quoted, says, "it is quite clear that the competition proposed to be started in this case, would be ruinous to both parties concerned in it," and he adds, "*any competition of such a character is NEVER, in my belief, advantageous to the public.*" It is difficult to conceive what more complete admission could be made of the entirely nugatory nature of this pretended provision to secure the rights of individuals, and the public.

The superintendent argues in one of his answers above mentioned, that this "right to put on cars and engines, might be important when there is any neglect or refusal on the part of the directors of a road to afford to the public all necessary and reasonable facilities." The answer to this is, that the legislature have already, by the provisions of the charter of this corporation, the right to alter, amend or modify its charter, or any of its provisions, as in their opinion the public good may require. It is obvious, therefore, that without the existence of this clause, the legislature have the same power for the correction of abuses like those supposed by the superintendent, which they could have with it.

Your committee, therefore, can regard the operation of this and other similar provisions in the charters of railroad corporations, coupled with the singular interpretation that has been given to it by the advocates of these bodies, in no other light than as a fraud upon individuals and upon the public—a pretext which has been, and if not removed, may again be the excuse and the cause for much wrong and unconstitutional legislation. The committee have therefore directed me to report the accompanying bill.

H. HIBBARD, for the committee.

## REPORT

### OF THE APPRAISERS OF THE PROPERTY OF THE NEW HAMPSHIRE STATE PRISON.

We, the undersigned, having been appointed by the standing committee on the State Prison to appraise all the property belonging to said prison ; also all the notes and accounts due said prison, having attended to the duty assigned us, submit the following as the result of our investigation.

Lawson Coolidge, the present Warden, has had charge of said prison during the last three years, and has received as appropriations from the State treasury, \$10,534 81  
Also for debts due the prison prior to that time, 3,520 64

|                             |             |
|-----------------------------|-------------|
| Making in all,              | \$14,054 45 |
| Has paid outstanding debts, | 4,345 00    |

|  |            |
|--|------------|
| Leaving a balance in his hands of                | \$9,709 45 |
| Amount of debts against the prison at this time, | 1,707 22   |

|                |             |
|----------------|-------------|
| Making in all, | \$11,416 67 |
|----------------|-------------|

Which is accounted for as follows :

|   |            |
|---|------------|
| Notes and accounts due prison, considered good, | \$1,957 08 |
| Provisions on hand, as per schedule annexed,    | 319 08     |
| Iron smith shop           "       "       "     | 667 18     |
| Cabinet shop               "       "       "    | 438 34     |
| Steam engine               "       "       "    | 600 00     |
| Shoe shop                   "       "       "   | 128 00     |
| Hall, chapel and cook room   "       "          | 240 49     |
| Inside yard                       "       "     | 557 25     |
| Outside yard                       "       "    | 43 00      |
| Guard room                       "       "      | 100 00     |
| In old prison                       "       "   | 114 16     |
| Warden's office                       "       " | 349 26     |
| Wash room                       "       "       | 27 45      |

|                                   |            |
|-----------------------------------|------------|
| Making                            | \$5,441 29 |
| Cash on hand at the present time, | 28 29      |

|  |            |
|--|------------|
| Making in all at the present time,         | \$5,469 58 |
| Which being deducted from the above sum of | 11,416 67  |

|  |            |
|--|------------|
| Leaves a deficit exclusive of stock, tools and provisions, when he took charge of said prison of | \$5,947 09 |
|--|------------|

We find charged on the books of the Warden, \$2,892 55 against Gordon Burley on said Burley's old contract with said prison, which we have not appraised, as said claim is now in suit. And also against Elmer Townsend, balance of accounts of \$2,849 93, which we have not appraised for the following reasons. The first account against said Townsend is \$13,415 90 for 14,551 pairs of shoes on consignment. We find credited to said Townsend on said books \$12,237 15 leaving a balance of \$1,178 75. But we find said Townsend has rendered an account of the sale of 12,665 pairs of shoes at about 79 1-2 cents a pair, amounting to \$9,956 87, and has charged for commission, exchange, &c. \$1,183 80, which sum is not credited on said Warden's books, deducting said commission from said amount of sales leaves \$8,773 07. Said Townsend had on hand at the time of rendering sale above, 1886 pairs. Should they be sold for the same, they would amount to \$1,499 37. Deducting commission, say \$175, leaves \$1,324 37, which added to said \$8,773 07 would make the nett receipts for 14,551 pairs of shoes, \$10,097 44 which deducted from said \$13,415 90 charged on said books, leaves a deficit of \$3,318 46; deduct \$2,849 93 balance of account as on said books from said \$3,318 46 leaves \$468 53 balance in favor of said Townsend.

Respectfully submitted,  
ZENAS CLEMENT,  
FRANKLIN SIMONDS, } Committee.  
JESSE CARR,

June 29th, 1843.

### SCHEDULE.

*Inventory of Stock, Tools, Provisions, &c. &c. at the N. H. State Prison, June, A. D. 1843.*

#### IRON SMITH SHOP.

|   |       |
|---|-------|
| 1 blower shaft, 2 emery drums and 3 small shafts..... | 10 00 |
| 72 lbs. screw wrenches.....                           | 2 28  |
| 1 scale and beam.....                                 | 4 00  |
| 12 iron vices.....                                    | 25 00 |
| 2 turning engines and tools.....                      | 75 00 |
| 1 small lathe.....                                    | 5 00  |

|  |       |
|--|-------|
| 1 desk.....                              | 25    |
| 1 lot of tubs and pails.....             | 3 00  |
| 1 lot of drill tools and stocks.....     | 6 00  |
| 2 bits and stocks.....                   | 1 00  |
| 1 lot punches, swedges and chisels.....  | 6 00  |
| 1 stake.....                             | 2 50  |
| 1 fork set, shoring tools, &c.....       | 2 50  |
| 12 screw plates and taps.....            | 50 00 |
| 1 pair callipers.....                    | 75    |
| 2 iron squares.....                      | 75    |
| 1 basket.....                            | 17    |
| 2 pairs bellows.....                     | 10 00 |
| 240 plugged hammers.....                 | 4 00  |
| 60 nail kegs.....                        | 5 40  |
| 325 lbs. nail rods at 5 1-2.....         | 17 87 |
| 125 lbs. wrought nails.....              | 12 50 |
| 17 lbs. coach nails.....                 | 3 40  |
| 25 lbs. " " large.....                   | 9 34  |
| 18 saw strams.....                       | 1 44  |
| 1 press.....                             | 30 00 |
| 1 pair shears.....                       | 10 00 |
| 3 Naylor stakes.....                     | 5 00  |
| 2 pairs iron blowers.....                | 30 00 |
| 2 fire blowing apparatus.....            | 5 00  |
| 1 grindstone and crank.....              | 5 00  |
| 1 shaving horse.....                     | 25    |
| 25 lbs. Naylor's hammers.....            | 4 00  |
| 202 lbs. heading tools.....              | 10 00 |
| hammer swedges.....                      | 1 00  |
| " stamps, engravers' tools, &c..         | 7 00  |
| 2 saws.....                              | 75    |
| 2 shovels.....                           | 25    |
| 1 hand vice.....                         | 50    |
| 1 lot belting.....                       | 16 00 |
| 1 hammer handle lathe.....               | 50 00 |
| 3 stocks and dies, (at Porter & Rolfe's) | 18 00 |
| 1 beck horn.....                         | 1 00  |
| 1400 lbs. anvils.....                    | 98 00 |
| 488 lbs. tongs.....                      | 29 28 |
| 11 riveting hammers.....                 | 2 00  |
| 1 pair small shears.....                 | 1 00  |
| 100 lbs. sledges and hammers.....        | 8 00  |

|                                 |       |
|---------------------------------|-------|
| Lot of emery wheels.....        | 12 00 |
| 1 old trip hammer.....          | 25 00 |
| 1 cast iron punching press..... | 20 00 |
| Main shaft and pulleys.....     | 20 00 |

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\$667 18

## CABINET MAKER'S SHOP.

|                                       |        |
|---------------------------------------|--------|
| 1 planing machine.....                | 125 00 |
| 6 turning lathes.....                 | 120 00 |
| 3 lathe benches.....                  | 36 00  |
| 1 tenanting machine.....              | 25 00  |
| 1 boring machine, bits and shaft..... | 10 00  |
| 1 mortising machine.....              | 38 00  |
| 3 glue pots.....                      | 84     |
| 2 grindstones.....                    | 4 00   |
| 1 lot of oil stones.....              | 1 00   |
| 12 work benches.....                  | 6 00   |
| 1 long desk.....                      | 75     |
| Belting.....                          | 6 00   |
| 1 upright saw frame and wheel.....    | 10 00  |
| 2 circular saws.....                  | 5 00   |
| 1 do do.....                          | 1 00   |
| 1 do do shaft.....                    | 5 00   |
| Lot of turning tools.....             | 5 00   |
| 1 saw bench.....                      | 3 00   |
| 2 lathe gauges.....                   | 1 00   |
| 5 smoothing planes.....               | 1 25   |
| 10 jack planes.....                   | 2 50   |
| 12 jointers.....                      | 4 00   |
| 12 chisels.....                       | 75     |
| 10 handscrews.....                    | 1 00   |
| 6 pairs clamps.....                   | 1 50   |
| 6 augers.....                         | 1 00   |
| 1 screw driver, bits and stocks.....  | 25     |
| 1 circular saw and arbor.....         | 1 00   |
| 1 paint mill.....                     | 50     |
| 1 chest.....                          | 25     |
| 1 cross cut saw (in woods).....       | 3 00   |
| 1 hammer wrench.....                  | 50     |
| 3 pairs callipers.....                | 50     |

|                              |      |
|------------------------------|------|
| 6 iron squares.....          | 1 00 |
| 27 hammers and hatchets..... | 3 25 |
| 10 guages.....               | 50   |
| 6 hand and fine saws.....    | 2 50 |
| 7 shaves.....                | 1 50 |
| 10 tri-squares.....          | 4 00 |
| 1 drum and shaft.....        | 5 00 |

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\$438 34

### STEAM ENGINE.

|                     |        |
|---------------------|--------|
| 1 steam engine..... | 600 00 |
|---------------------|--------|

### SHOE SHOP.

|                                     |       |
|-------------------------------------|-------|
| 28 shoe benches.....                | 14 00 |
| 11 kits.....                        | 22 00 |
| 50 lasts.....                       | 5 00  |
| 5 pegging jacks.....                | 2 50  |
| 1 desk.....                         | 50    |
| 1 cutting bench.....                | 2 00  |
| 1 grindstone.....                   | 1 50  |
| 1 lot of buckets and kids.....      | 1 00  |
| 13 pairs clamps.....                | 1 00  |
| 1 splitting machine.....            | 50 00 |
| 1 peg box.....                      | 1 50  |
| 1 lot patterns.....                 | 2 00  |
| 1 rolling machine, (in Boston)..... | 25 00 |

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\$128 00

### HALL, CHAPEL AND COOK ROOM.

|                                 |       |
|---------------------------------|-------|
| 2 hall stoves and pipe.....     | 10 00 |
| 1 chapel stove and pipe.....    | 2 00  |
| 1 oil can.....                  | 2 00  |
| 1 pair of steps and roster..... | 2 00  |
| 1 clock.....                    | 2 00  |
| 1 bell.....                     | 50    |
| 100 night buckets and kids..... | 33 33 |
| pot hooks and skimmers.....     | 1 00  |
| 100 coffee pots.....            | 3 50  |

|                                      |          |
|--------------------------------------|----------|
| 100 dishes .....                     | 3 50     |
| 2 baskets .....                      | 33       |
| 3 shovels and tongs .....            | 2 00     |
| 3 tubs and 3 kids .....              | 2 50     |
| 2 kettles .....                      | 1 50     |
| 110 pepper boxes and spoons .....    | 2 00     |
| 1 pair andirons .....                | 1 00     |
| 1 lot knives and forks .....         | 1 50     |
| 1 lot butcher knives .....           | 2 00     |
| 1 carving knife and table .....      | 75       |
| 21 bake pans .....                   | 5 25     |
| 1 bread trough and meal chest .....  | 2 00     |
| 1 lot barber's tools and trunk ..... | 5 00     |
| 7 pails .....                        | 2 00     |
| 8 chairs .....                       | 1 33     |
| 1 bible and hymn book .....          | 1 00     |
| 1 table and box .....                | 50       |
| 100 beds, bedding and sacking .....  | 150 00   |
|                                      | <hr/>    |
|                                      | \$240 49 |

## WASH ROOM.

|                                      |         |
|--------------------------------------|---------|
| 1 stove and pipe .....               | 2 00    |
| 1 lot barrels, tubs, pails, &c. .... | 2 00    |
| 1 pot and andirons .....             | 50      |
| 2 1-2 barrels soap .....             | 8 00    |
| 1 lot axes, wood-saws, &c. ....      | 3 00    |
| 1 beetle and wedges .....            | 50      |
| 2 wood-saw horses .....              | 50      |
| 1 spike drawer .....                 | 50      |
| 97 lbs. chain .....                  | 3 95    |
| 1 bench and tools .....              | 1 00    |
| 140 lbs. iron bar .....              | 5 50    |
|                                      | <hr/>   |
|                                      | \$27 45 |

## YARD.

|                                  |        |
|----------------------------------|--------|
| 88 cords pine wood at 2 25 ..... | 198 00 |
| 81 " hard " at 2 50 .....        | 202 50 |
| 1 pair high wheels .....         | 12 00  |
| 2 " small trucks .....           | 2 00   |

|                                   |          |
|-----------------------------------|----------|
| 1 granite monument.....           | 50 00    |
| 1 pick axe.....                   | 1 00     |
| 2 wheel barrows.....              | 6 00     |
| 1 stone roller.....               | 5 00     |
| 1 lot stone.....                  | 60 00    |
| 1 pair skids.....                 | 2 00     |
| 75 beef barrels, (in cellar)..... | 18 75    |
|                                   | <hr/>    |
|                                   | \$557 25 |

## OUTSIDE YARD.

|                  |         |
|------------------|---------|
| 1 gig wagon..... | 30 00   |
| 1 harness.....   | 6 00    |
| 1 sleigh.....    | 4 00    |
| 2 kettles.....   | 3 00    |
|                  | <hr/>   |
|                  | \$43 00 |

## GUARD ROOM.

|   |          |
|---|----------|
| 1 clock.....                            | 6 00     |
| 1 bunk.....                             | 1 50     |
| 3 trunks.....                           | 1 00     |
| 1 pair shovel and tongs.....            | 50       |
| 1 desk.....                             | 1 50     |
| 1 stove and pipe.....                   | 2 00     |
| 3 blunderbusses.....                    | 6 00     |
| 6 swords.....                           | 2 50     |
| 11 muskets.....                         | 44 00    |
| 2 rifles.....                           | 16 00    |
| 1 brace horse pistols and holsters..... | 2 00     |
| 1 trunk, bullet moulds, &c.....         | 1 00     |
| 2 beds.....                             | 7 00     |
| 1 dozen chairs.....                     | 9 00     |
|   | <hr/>    |
|   | \$100 00 |

## OLD PRISON.

|                                      |       |
|--------------------------------------|-------|
| 1 lot bags and chest.....            | 3 00  |
| 275 lbs. stone hammers, (steel)..... | 27 50 |
| 17 patent cutting hammers.....       | 17 00 |

|   |       |
|---|-------|
| 6 drilling hammers.....                 | 1 00  |
| 1 lot punches.....                      | 1 50  |
| 1 stamp.....                            | 1 00  |
| 6 squares.....                          | 1 00  |
| 1 lot harness.....                      | 3 00  |
| 1 stove and funnel.....                 | 3 00  |
| 1 lot cooper's tools.....               | 1 00  |
| 2 bedsteads.....                        | 25    |
| stove and pipe.....                     | 2 00  |
| bed and bedding.....                    | 1 50  |
| stove and pipe.....                     | 1 25  |
| bedsteads.....                          | 50    |
| 3 beds and bedding.....                 | 4 50  |
| 8 comforters.....                       | 2 66  |
| 1 jig saw.....                          | 10 00 |
| 1 lot funnel.....                       | 50    |
| 1 lot iron.....                         | 10 00 |
| 1 pew in old north church (worthless)   |       |
| 1 pair scales.....                      | 2 00  |
| 1 forge frame.....                      | 5 00  |
| 1 lot brick....,..                      | 10 00 |
| 2 stoves (for watchmen's boxes on wall) | 5 00  |

---

\$114 16

## WARDEN'S OFFICE.

|  |        |
|--|--------|
| 1 stove and pipe.....                    | 6 00   |
| 2 desk chairs.....                       | 1 00   |
| 6 cane seat chairs.....                  | 4 50   |
| 12 common chairs, (bought since report). | 9 00   |
| 1 desk.....                              | 4 00   |
| 1 small desk.....                        | 1 00   |
| 1 ledger stand.....                      | 1 50   |
| 1 clock.....                             | 2 25   |
| 2 1-4 reams paper.....                   | 4 00   |
| 36 umbrellas.....                        | 18 00  |
| 297 yds. satinet, at 40 cts.....         | 118 80 |
| 466 yds. cotton cloth, at 5 cts.....     | 23 35  |
| 15 pairs pants, at 1 25.....             | 18 75  |
| 1 letter press.....                      | 25     |
| 2 hats.....                              | 50     |

|                       |          |
|-----------------------|----------|
| 33 pairs feeting..... | 3 30     |
| 5 jackets.....        | 6 66     |
| 18 pairs shoes.....   | 12 00    |
| 11 shirts.....        | 4 40     |
| 2 parlor stoves.....  | 10 00    |
|                       | <hr/>    |
|                       | \$249 26 |

### PROVISIONS.

|  |          |
|--|----------|
| 400 lbs. rye and Indian meal.....            | 6 00     |
| 2180 lbs. rice, at 2 1-2 cents.....          | 54 50    |
| 351 galls. of molasses [bought since report] | 80 73    |
| 20 bushels beans.....                        | 25 00    |
| 71 lbs. young hyson tea.....                 | 24 85    |
| 10 hogs.....                                 | 50 00    |
| 100 bushels of potatoes.....                 | 16 00    |
| 20 barrels beef.....                         | 140 00   |
|  | <hr/>    |
|  | \$319 08 |

## REPORT OF THE SELECT COMMITTEE ON THE INSANE ASYLUM.

The select committee to whom was referred His Excellency's message accompanied by the report of the board of visitors, trustees and superintendent of the New Hampshire Asylum for the Insane, have attended to the subject, and ask leave to make a final

### REPORT.

Your committee agree fully with board of visitors and trustees, that the institution promises to answer the benevolent object of its erection, a safe, agreeable, and as far as may be, a happy home of the unfortunate Insane.

Your committee in their visit were forcibly reminded of the propriety of His Excellency's recommendation, to make an appropriation to erect a separate building for those persons who are

constantly furious and noisy. Such a building would probably cost about \$3,000, furnishing other accommodations in the same, greatly needed by the Institution.

Your committee were highly gratified with the general appearance of the institution. Neatness, order and comfort pervading every part of the building.

Dr. Chandler, the superintendent, appears to your committee to possess all the qualifications necessary to manage the affairs of the institution.

Your committee have directed me to report the following resolution : **DIXI CROSBY** for the Committee.

*Resolved*, That the further consideration of an appropriation for a new building be postponed to the next session of the Legislature.

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## PETITION

### OF J. D. GOODRICH AND OTHERS, FOR A BANK AT PORTSMOUTH.

*To the Hon. the Senate and House of Representatives of the State  
of New Hampshire.*

The undersigned, citizens of the town of Portsmouth, respectfully ask of the Legislature the passage of an act incorporating them into a banking company, subject to the provisions contained in the following bill. They would also respectfully suggest the expediency of passing a general law upon the subject of banking, based upon the principles contained in said bill.

An act to incorporate the President, Directors and company of  
the Mutual Safety Bank of Portsmouth.

**SEC. 1.** *Be it enacted by the Senate and House of Representatives in General Court convened, That* \_\_\_\_\_

\_\_\_\_\_ their associates, successors and assigns, be, and they hereby are, constituted and made a body corporate and politic by the name of the president, directors and company of the Mutual Safety Bank of Portsmouth; and by that name may sue and be sued; defend and be defended, plead and be impleaded, and shall be subject to all

the liabilities and vested with all the privileges hereinafter specified.

SEC. 2. Any person, (corporations excepted) that shall mortgage to said bank any buildings or lands, taxed by the selectmen of the town in which such building or lands are situated, to the amount of twelve hundred dollars, shall receive from said bank bills, signed by the president and cashier thereof, to the amount of four hundred dollars and no more; and in the same proportion for any buildings or lands taxed by the selectmen of the town in which such buildings or lands are located, for a greater or less amount, and every person mortgaging as aforesaid any buildings or lands, shall be deemed a stockholder in said corporation so long as his indebtedness shall continue to the same, and shall be entitled to one vote and no more at any meeting of said corporation.

SEC. 3. Every person mortgaging buildings or lands to said bank as aforesaid, shall at the time of receiving the bills of said bank upon said mortgage, pay to the cashier thereof, twenty-five per cent. on the amount of his loan obtained from said bank, in gold or silver; and it shall be the duty of the cashier thereof to give to the person so paying, the same amount in the bills of said bank.

SEC. 4. Whenever in the opinion of the president, directors and cashier of said bank, it shall become necessary for the interest of the bank to increase the amount of gold or silver in the vault of said bank, it shall be their duty to issue a notice to the stockholders of said bank, requiring them to pay five per cent upon the amount of loans in thirty days, and if that sum is not sufficient, they may require a further sum of five per cent. from each stockholder every thirty days thereafter, payable in gold or silver, until all bill holders of bills issued by said bank and requiring gold or silver, shall be satisfied and paid in full for all bills of said bank held by them:—And if any stockholder shall neglect or refuse to pay to the cashier of said bank said sum of five per cent. when thus required for the space of sixty days after such notice, the president and directors of said bank may proceed to sell the property mortgaged by said stockholder, at public vendue to the highest bidder, after giving thirty days notice thereof, in some newspaper printed in the town of Portsmouth, and after taking therefrom so much money as will satisfy the demand of said bank, and the expenses of such sale, shall pay the balance to said stockholder.

SEC. 5. Every person obtaining a loan from said bank as aforesaid, shall pay to the cashier thereof, at the time of obtain-

ing such loan, at the rate of one per cent. annually, upon the amount of his loan and no more; and if said loan is continued longer than one year, then the same rate of interest annually; and the amount thus received shall be applied to defray the expenses of said corporation.

SEC. 6. Each and every stockholder of said bank shall at all times keep his buildings pledged to said bank for any loan obtained from the same, insured and the policy therefor be assigned to the bank, in some Mutual Safety Insurance company, so long as his property is pledged to said bank; and no loan shall be made by said bank to any individual until the president and directors thereof shall be satisfied of such insurance; and the president or any director of said bank consenting to such loan upon any building not insured as aforesaid, shall forfeit and pay to said bank upon conviction thereof the amount of such loan together with costs.

SEC. 7. Any person obtaining a loan from said bank shall upon returning to the cashier of the same the amount due from him to said bank, receive from the president, directors and company thereof a quit claim deed of the property mortgaged by him within ten days from the date of such payment.

SEC. 8. The president and cashier of said bank shall not at any time make to any individual any loan except upon pledge of buildings or lands, in the manner provided in the second section of this act.

SEC. 9. No deposits shall be received by the cashier of said bank, except the same be made in gold or silver, or bills of a bank constituted upon the principles of this bank, but the cashier of said bank may at any time give in exchange dollar for dollar the bills of said bank for gold or silver coin.

SEC. 10. The president and directors of said bank shall from time to time fix the compensation of the cashier and other officers of said bank.

SEC. 11. The stockholders of said bank, may at any meeting, called for that purpose, make such by-laws as are necessary to carry into effect the provisions of this grant: provided such by-laws are not repugnant to the constitution and laws of this State.

SEC. 12. The annual meeting of the stockholders of said bank shall be holden on the first Monday of January annually, at which meeting a president and four directors shall be chosen, three of whom shall constitute a quorum for doing business.

SEC. 13. The first meeting of said corporation shall be called by \_\_\_\_\_ or either two of them.

SEC. 14. No bills shall be issued by said bank until the

amount of fifty thousand dollars in good and real property is secured by mortgage to said bank.

Portsmouth, June 7th, 1843.

|                               |                    |
|-------------------------------|--------------------|
| Jeremiah D. Goodrich          | Thomas Fernald     |
| Nehemiah Moses                | George W. Jenness  |
| Augustus Jenkins              | Mark Dennett jr.   |
| Jonathan Judkins              | Nath. D. Miller    |
| Ira Haselton                  | Samuel Gerrish     |
| Brackett Hutchings            | Nath. Folsom       |
| George Huntress               | S. Gilman Folsom   |
| Geo. W. Towle                 | James M. Carr      |
| Benjamin Cheever              | Meeds Danielson    |
| Thomas Norton                 | John Harrat        |
| William J. Loughton           | Aaron B. Mudge     |
| F. W. de Rochemont, Newington | Oliver Senter      |
|                               | Wm. Furnald, jr.   |
| Andrew H. Jones               | J. M. Mathes       |
| Samuel Cushman                | William Rand       |
| Winthrop Pickering, Newington | Robert Ham         |
| A. T. Goodrich                | Daniel Loury       |
| Samuel Robinson               | Moses H. Goodrich. |
| Thomas Treadwell              | Thos. Currier      |
| Edward S. Wendell             | Matthew Roach      |
| S. B. Lord                    | Thomas Clapham     |
| Daniel Bailey                 | Benning Morrell    |
| Jno. N. Sherburne             | Sam. Shackford     |

## STATE OF NEW HAMPSHIRE.

In the year of our Lord one thousand eight hundred and forty-three.

### AN ACT in relation to banking.

*Be it enacted by the Senate and House of Representatives in General Court convened, as follows :*

SECTION 1. Any number of persons may associate to establish offices of discount, deposits and circulation, upon the terms and conditions, and subject to the liabilities prescribed in this act; but the aggregate amount of the capital stock of any such association shall not be less than fifty thousand dollars.

**SEC. 2.** Such persons, under their hands and seals, shall make a certificate which shall specify—

1. The name assumed to distinguish such association, and to be used in its dealings :

2. The place where the operations of discount and deposit of such association are to be carried on, designating the particular town or village :

3. The amount of the capital stock of such association, the proportion held by each member of the association, and the names and places of residence of each member of such association :

4. The period at which such association shall commence and terminate ; which certificate shall be duly acknowledged and recorded in the office of the clerk of the county, and also in the town clerk's office, where any office of such association shall be established, and a copy thereof filed in the office of the Secretary of State.

**SEC. 3.** The certificate required by the preceding section to be recorded and filed in the offices of the clerk of the county, of the town clerk, and secretary of state, as aforesaid, or copies thereof, duly certified by either of those officers, may be used as evidence in all courts and places for and against any such association.

**SEC. 4.** Such association, after each and all the members thereof shall have signed and sworn or affirmed to an affidavit, which shall contain the amount paid in by each member towards forming the capital stock of such association, and that the same has actually been paid in, in specie or its equivalent, shall have power to carry on the business of banking, by discounting bills, notes and other evidences of debt ; by receiving deposits ; by buying and selling gold and silver bullion ; foreign coins and bills of exchange, in the manner specified in their articles of association for the purposes authorized by this act ; by loaning money on real or personal security ; and by exercising such incidental powers as shall be necessary to carry on such business ; to choose one of their number as president of such association, and to appoint a cashier, and such other officers and agents as their business may require, and to remove such president, cashier, officers and agents at pleasure, and appoint others in their place.

**SEC. 5.** Such association shall have power to issue and put into circulation, as money, notes and bills, in the similitude of common bank notes, of such denominations as is prescribed in the Revised Statutes of New Hampshire, to an amount equal to twice the amount of capital stock paid in as aforesaid ; and all such notes, and all contracts made by any such association, shall

be signed by the president and cashier thereof; and all suits brought by or against such association, shall be brought in the name by which such association shall assume to be distinguished.

SEC. 6. No member of any such association shall have any right whatever to sell and transfer his interest therein, except by the consent, in writing of all the other members thereof; but in case any member of such association shall die, his executor or administrators shall, at the expiration of one year after the decease of such member, have a right to receive and obtain from such association the share that such deceased member had in such association, after paying all the liabilities which such association shall be under; and in case the amount thus paid out is not returned to such association, and the capital stock made good on or before thirty days from the day such deceased member's share shall be paid out as aforesaid, the power of said association to carry on the business of banking shall cease, and the affairs thereof shall be immediately wound up, but no part of the capital stock of such association shall be divided among the members thereof, until after all the liabilities of such association shall be discharged.

SEC. 7. Every member of any such association shall be liable in his individual capacity, in the form and manner prescribed in chapter one hundred and forty-six of the Revised Statutes of New Hampshire, for all the contracts, debts and engagements of such association.

SEC. 8. It shall be lawful for such association to purchase, hold and convey real estate for the following purposes:

1. Such as shall be necessary for its immediate accommodation in the convenient transaction of its business: or,

2. Such as shall be mortgaged to it in good faith by way of security for loans made by, or moneys due to such association: or,

3. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings: or,

4. Such as shall be taken by said association on executions recovered against its debtors.

The said association shall not purchase, hold or convey real estate in any other case, or for any other purpose.

SEC. 9. Such association shall on the first Mondays of January and July in every year, after having commenced the business of banking as prescribed by this act, make out a full statement of the affairs of the association, verified by the oaths of the president and cashier, which statement shall contain—

1. The amount of the capital stock paid in according to the provisions of this act:

2. The value of the real estate of the association, specifying what portion is occupied by the association as necessary to the transaction of its business :

3. The amount of debts due to the association, specifying such as are due from moneyed or other corporations, and also specifying the amount secured by bond and mortgage or judgment, and the amount which ought to be included in the computation of losses :

4. The amount of debts due by such association, specifying such as are payable on demand, and such as are due to moneyed or other corporations or associations :

5. The amount of notes, bills or other evidences of debt, issued by such association, and in circulation :

6. And the names of any persons who may have become parties to the said articles of association, or may have withdrawn therefrom since their last report :

Which statement shall be immediately transmitted to the secretary of state, and be by him laid before the governor and council.

SEC. 10. If such association shall neglect to make out and transmit the statement required in the last preceding section, for one month beyond the period when the same is required to be made, or shall violate any of the provisions of this act, the power of such association shall cease for all purposes, except the winding up and closing its affairs.

SEC. 11. Such association shall not issue any bills or notes payable at any other place, than at the office where the business of the association is carried on and conducted.

SEC. 12. Such association shall be subject to all the laws in relation to corporations, contained in title seventeenth of the Revised Statutes of New Hampshire, but such parts of said Revised Statutes as are inconsistent with this act are hereby repealed.

SEC. 13. The legislature may at any time alter or repeal this act.

SEC. 14. It shall be unlawful for such association to loan any portion of its capital stock to any of its members.

## STATE OF NEW HAMPSHIRE.

In the year of our Lord-one thousand eight hundred and forty-three.

**AN ACT** in relation to the Superior Court of Judicature, and in addition to section six of chapter one hundred and seventy-one of the Revised Statutes.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives in General Court convened,* That whenever an execution against the property of a defendant shall have been issued on a judgment at law, and shall have been returned unsatisfied in whole or in part, which execution may be so returned at any time after the expiration of thirty days from the date of the same, the party suing out such execution may file a bill in chancery, in the Superior Court of Judicature, against such defendant and any other person, to compel the discovery of any property, whether real or personal, or thing in action belonging to the defendant, and of any property, whether real or personal, money or thing in action, due to him or held in trust for him, and to prevent the transfer of any such property, money or thing in action, or the payment or delivery thereof to the defendant, except where such trust has been created by, or the fund so held in trust has proceeded from some person other than the defendant himself.

**SEC. 2.** *And be it further enacted,* That the court shall have power to compel such discovery and to prevent such transfer, payment or delivery, and to decree satisfaction of the sum remaining due on such judgment out of any such property, or things in action belonging to the defendant, or held in trust for him with the exception above stated, which shall be discovered by the proceedings in chancery, whether the same were originally liable to be taken in execution or not; and for such purpose said court shall have power to cause said things in action to be collected or converted into money, and to decree a sale of all such property or so much thereof as may be sufficient to discharge the amount due on such judgment, and the costs of suit; and to decree and compel the delivery of the possession of all such property, so sold, to the purchaser thereof.

## STATE OF NEW HAMPSHIRE.

In the year of our Lord one thousand eight hundred and forty-three.

## AN ACT to punish cheating by false pretences.

SECTION 1. If any person shall designedly and by any false pretence, or by any false or privy token, with intent to defraud, obtain any money, goods, wares, merchandise, or other property or shall so obtain the signature of any other person to any instrument, the false making of which would be punishable as forgery, he shall be punished by confinement to hard labor for a term not exceeding five years, or by fine not exceeding five hundred dollars, or imprisonment in the common jail not exceeding one year.

SEC. 2. Every person who shall be convicted of any gross cheat or fraud at common law, shall be punished as is provided in the preceding section.

## STATEMENTS

OF THE SEVERAL COUNTY TREASURERS, IN RELATION TO THE EXPENSES OF SAID COUNTIES, FOR SUPPORT OF COUNTY PAUPERS FROM 1838 TO 1843.

## ROCKINGHAM COUNTY.

NEW MARKET, June 19, 1843,

To *Albert G. Allen, Clerk of the House of Representatives* :

DEAR SIR: Agreeably to a resolution of the House of Representatives, passed June 13, 1843, I herewith transmit a statement of the expenses for support of county paupers for the county of Rockingham, as directed in said resolution, as follows:

|                           |                 |
|---------------------------|-----------------|
| From June, 1838, to 1839, | 2219 36         |
| " " 1839, to 1840,        | 2083 04         |
| " " 1840, to 1841,        | 2192 67         |
| " " 1841, to 1842,        | 1944 33         |
| " " 1842, to 1843,        | (paid*) 4966 03 |

\* There is now outstanding for expense of paupers for last year, some thousand dollars unpaid. For more particulars, look at estimate of clerk of C. C. Pleas as made at this session.

Respectfully,

EDSON HILL,

County Treasurer for county of Rockingham.

## STRAFFORD COUNTY.

LEE, June 18, 1843.

*To Albert G. Allen, Clerk of the House of Representatives :*

SIR: I this day received your note of June 13th, and in compliance with your request, I herewith transmit to you a copy of the amount of all moneys paid out by the county of Strafford for the suport of paupers since June 1st, 1838 down to June 1st, 1843, agreeably to a resolve of the House.

|   |           |
|---|-----------|
| Paid from June 1st, 1838 to June 1st, 1839, | \$1175 23 |
| " " " 1839 to " 1840,                       | 1529 68   |
| " " " 1840 to " 1841,                       | 1083 75   |
| " " " 1841 to " 1842,                       | 918 73    |
| " " " 1842 to " 1843,                       | 1994 40   |

Yours with respect,

JOSIAH BARTLETT.

Treasurer of the county of Strafford.

P. S. You will perceive that the moneys paid out the two first years was prior to the counties of Belknap and Carroll being taken off from the county of Strafford.

J. BARTLETT.

## BELKNAP COUNTY.

## STATE OF NEW HAMPSHIRE—BELKNAP, SS.

The Treasurer of the county of Belknap to the representatives of the State of New Hampshire.

Pursuant to a resolution of the House, passed June 13, 1843, directing its Clerk to communicate to the several county treasurers, &c., I hereby give the information required in the said resolution.

|   |         |
|---|---------|
| Paid for the support of paupers at the February and August terms, 1841, | 236 38  |
| Paid for February and August terms, 1842,                               | 1209 15 |
| " " term, 1843,   | 316 20  |

---

\$1761 73

The above includes the entire expense of paupers for the county of Belknap since its organization.

JOHN WADLEIGH, County Treasurer.

A true extract from the records,

Attest—JOHN WADLEIGH, County Treasurer.

I will here state for the convenience of the representatives of the county of Belknap (for I believe the county judges have neglected to do it for the last two years) that the amount standing against the county, January, 1843, amounted to \$2112 92

Added to this the expense of the Feb. term, 1843, 1424 14

Estimated expense of the August term, 1843, 2000 00

|                            |         |
|----------------------------|---------|
|                            | 5537 06 |
| County tax due, Dec. 1843, | 3000 00 |

|  |           |
|--|-----------|
| Balance against the county, January, 1844, | \$2537 06 |
|--|-----------|

JOHN WADLEIGH, County Treasurer.

Meredith, June 19, 1843.

### CARROLL COUNTY.

OSSIPEE, June 21, 1843.

*To Albert G. Allen, Clerk of House of Representatives :*

DEAR SIR : Yours of the 13th instant was received last evening, wishing me to forward to you the account of the expenses of the county of Carroll for the support of county paupers, for the five years ending June 1st, 1843.

I send herewith the account of 1841, 1842 and up to June, 1843. Carroll county shows no records of pauper expenses prior to April term, C. C. Pleas, 1841, that being the time said county was organized.

|                   |                          |               |
|-------------------|--------------------------|---------------|
| April term, 1841. | Paid Albany order,       | 31 00         |
| " " "             | " Moultonborough order,  | 12 00         |
| Oct. " "          | " Albany pauper order,   | 50 00         |
| " " "             | " Eaton " "              | 41 24-134 24  |
| April term, 1842. | Paid Eaton pauper order, | 50 72         |
| " " "             | " Ossipee " "            | 112 24        |
| " " "             | " Albany " "             | 54 00         |
| Oct. " "          | " Wakefield " "          | 79 56         |
| " " "             | " " " "                  | 37 50         |
| " " "             | " Eaton " "              | 99 59         |
| " " "             | " Albany " "             | 88 80         |
| " " "             | " Wolfboro' " "          | 89 50         |
| " " "             | " Conway " "             | 108 50-720 41 |

April term, C. C. Pleas, 1843.

|                             |       |
|-----------------------------|-------|
| To paid Eaton pauper order, | 88 89 |
| " Wakefield " "             | 40 28 |
| " Conway " "                | 72 00 |
| " Albany " "                | 40 40 |
| " " " "                     | 25 50 |

|   |          |   |   |              |
|---|----------|---|---|--------------|
| " | Tamworth | " | " | 36 00-303 07 |
| " | Ossipee  | " | " | 67 00 67 00  |
|   |          |   |   | <hr/>        |
|   |          |   |   | 370 07       |

Amounting from April term, 1841, up to  
June 1, 1843, to

\$1224 72

Respectfully yours,  
**BRACKETT WIGGIN,**  
Treasurer for county of Carroll.

### HILLSBOROUGH COUNTY.

TREASURER'S OFFICE, }  
COUNTY OF HILLSBOROUGH. }

Agreeably to a resolve of the House of Representatives, I transmit to you the amount paid for the support of paupers for the five years ending June 1st, 1843 :

|                     |         |                      |
|---------------------|---------|----------------------|
| 1838, August term   | 782 01  |                      |
| 1839, February term | 733 33  |                      |
| <hr/>               |         | 1515 34 in one year. |
| 1839, August term   | 442 78  |                      |
| 1840, February term | 1008 37 |                      |
| <hr/>               |         | 1451 15 " " "        |
| 1840, August term   | 903 68  |                      |
| 1841, February term | 958 63  |                      |
| <hr/>               |         | 1262 31 " " "        |
| 1841, August term   | 990 29  |                      |
| 1842, February term | 1838 62 |                      |
| <hr/>               |         | 2828 91 " " "        |
| 1842, August term   | 2399 53 |                      |
| 1843, April term    | 4628 27 |                      |
| <hr/>               |         | 7027 80 " " "        |

Respectfully yours,  
**ISRAEL FULLER, Jr.,** County Treasurer.  
Amherst, June 23, 1843.

### CHESHIRE COUNTY.

KEENE, June 17, 1843.

*Mr. Allen :*

SIR : Agreeably to your request, I herewith forward a statement of the expense of supporting county paupers for the county of Cheshire for the last five years, ending June 1st, 1843, viz:

|   |           |
|---|-----------|
| For the year ending at April term of the court, |           |
| 1839,   | \$1416 54 |
| For the year " " " 1840,                        | 923 03    |
| " " " " 1841,                                   | 1170 08   |
| " " " " 1842,                                   | 1257 89   |
| " " " " 1843,                                   | 2996 07   |

The pauper expenses are audited and paid at the October and April terms of the court in this county, so that the year ending at April court settles the expenses until the next term of the court in October.

Respectfully yours,  
**GEO. TILDEN,**  
 Treasurer for the county of Cheshire.

### SULLIVAN COUNTY.

TREASURER'S OFFICE, }  
 WASHINGTON, June 17, 1843. }

Agreeably to a resolution passed by the House of Representatives, June 13, 1843, I herewith transmit a statement of all expenses paid by the county of Sullivan for the support of county paupers as appears by the treasurer's book for the five years, ending June 1, 1842.

|                           |           |
|---------------------------|-----------|
| For the year ending 1839, | \$952 45  |
| " " " 1840,               | 773 27    |
| " " " 1841,               | 668 41    |
| " " " 1842,               | 867 29    |
| " " " 1843,               | 453 79    |
|                           | <hr/>     |
|                           | \$3715 21 |

I was informed by the justices of the court of Common Pleas last April term, there were claims against the county for expenses incurred for the support of paupers for the last year of considerable amount, but I have not the means of knowing the sum.

**MARTIN CHASE,** County Treasurer.

### GRAFTON COUNTY.

LYME, June 19, 1843.

*Albert G. Allen, Clerk of the House of Representatives:*

SIR: In conformity to your request, I have examined the records of the county of Grafton and find there has been paid for pauper claims for the last five years as follows, to wit:

|  |               |           |
|--|---------------|-----------|
| Paid pauper claims for the year ending | June 1, 1839, | \$1356 67 |
| " " " " " "                            | June 1, 1840, | 1523 56   |
| " " " " " "                            | June 1, 1841, | 1322 18   |
| " " " " " "                            | June 1, 1842, | 3753 06   |
| " " " " " "                            | June 1, 1843, | 3874 95   |

There are outstanding claims in the western judicial district, from Feb. term of the court of Common Pleas to June 1, 1843, which will probably increase the amount five or six hundred dollars.

**SYLVANUS HEWS, County Treasurer.**

### COOS COUNTY.

TREASURER'S OFFICE, }  
DALTON, June 17, 1843. }

*Albert G. Allen, Clerk of the House of Representatives:*

Agreeably to the resolve of the House, requesting to be furnished with an account of the expenses of the county paupers in the said county, for five years ending June 1, 1843, I submit the following, taking from the book for each year.

|                | 1838.    | 1839.  | 1840.  | 1841.  | 1842.  |
|----------------|----------|--------|--------|--------|--------|
| Northumberland | \$111 26 | 55 93  | 116 34 |        | 87 58  |
| Lancaster      | 33 25    | 145 65 | 26 18  |        |        |
| Milan          | 115 40   | 89 25  | 243 51 | 142 10 |        |
| Colebrook      |          | 25 92  |        | 84 00  | 57 78  |
| Stratford      |          | 26 00  | 15 50  | 52 86  | 73 13  |
| Whitefield     |          | 127 00 |        |        |        |
| Berlin         |          | 194 50 |        | 31 88  | 6 40   |
| Jefferson      |          | 18 00  | 27 22  | 66 25  | 73 84  |
| Stewartstown   |          | 91 50  | 92 64  | 48 63  | 50 26  |
| Shelburne      | 32 00    |        |        |        |        |
| Dalton         |          |        | 114 34 | 66 93  | 100 80 |
| Columbia       |          |        |        |        | 8 71   |
|                | <hr/>    | <hr/>  | <hr/>  | <hr/>  | <hr/>  |
|                | \$291 91 | 763 75 | 637 73 | 492 70 | 460 50 |
|                |          |        |        |        | 460 50 |
|                |          |        |        |        | 350 00 |

For the year 1842 ending the May term, 1843, \$810 50

**WILLIAM EWEN, County Treasurer.**

P. S. The orders for the last six months have not been presented, and I cannot tell the amount, but should judge they would be not far from three hundred and fifty dollars. The orders are not paid till November next. This should be taken into the year 1842.

**WILLIAM EWEN.**

# INDEX.

## A

|  |                                 |
|--|---------------------------------|
| Account and resolution in favor of Geo. W. Bagley, | 74 181                          |
|  | 195 235 237                     |
| " John F. Brown,                                   | 201 228 232 247 252             |
| " James Burley,                                    | 252                             |
| " Carleton & Harvey,                               | 231 237 238 246                 |
| " Jesse Carr,                                      | 233 236 237 245 247 251         |
| " William Carter, Jr.,                             | 249 251 254                     |
| " Zenas Clement,                                   | 233 234 236 237 245 246 247 251 |
| " Benaiah Cooke,                                   | 71 191 195 215 240 246          |
| " Currier & Hall,                                  | 244 252                         |
| " S. S. Dow,                                       | 186 191 195 216 231             |
| " George W. Ela,                                   | 214 236 247 252                 |
| " Franklin Evans,                                  | 238 244 252                     |
| " William Fisk,                                    | 238 244 247 252                 |
| " Isaac L. Folsom,                                 | 162 191 195 216 231 247         |
| " James Foss,                                      | 252                             |
| " Ebenezer Glines,                                 | 173 176 184 194 195             |
| " Robert Hale and others,                          | 243 247 254                     |
| " H. Hibbard,                                      | 194 228 232 247 252             |
| " Ira B. Hoitt and others,                         | 228 232 247 248                 |
| " John F. Holt,                                    | 104 175 177 183 222 234         |
| " George McDaniel,                                 | 173 176 184 194 195             |
| " Joel Parker,                                     | 195 228 232 247 252             |
| " Ira R. Philbrick,                                | 181 195 215 240 246             |
| " Porter & Rolfe,                                  | 238 244 252                     |
| " Joseph Robinson,                                 | 238 244 252                     |
| " William Rymes,                                   | 71 101 111 113                  |
| " Bartholomew Smith,                               | 233 236 237 245 247 251         |
| " Franklin Simonds,                                | 233 236 237 245 247 251         |
| " Benjamin Stephenson,                             | 98 175 177 183 222 234          |
| " Josiah Stevens, jr.,                             | 173 211 238                     |
| " William Walker & Co.,                            | 236 237 246                     |
| " Josiah B. Wiggin,                                | 114 181 195 215 240 246         |

|   |                         |
|---|-------------------------|
| Address of the Governor,                                      | 19                      |
| Addresses of the Speaker,                                     | 10 250                  |
| Address for the removal of certain military officers,         | 179 194                 |
|   | 199 223 247 252         |
| Adjutant General, account and vouchers of,                    | 184 222                 |
| Adjutant General's report, (see appendix)                     | 288                     |
| Alabama, resolution of legislature of,                        | 71 72 185 206           |
| Alteration of names,  | 167 177 183 234 235 237 |
| Amoskeag Falls Bridge, report of directors of, (see appendix) | 311                     |
| Assistant clerk elected,                                      | 11                      |
| Assumption and repudiation of state debts,                    | 71 72 185 206           |
| Ayslum for the Insane, (see appendix)                         | 346                     |
| “ “ “ “ bill in relation to,                                  | 224                     |
| “ “ “ “ reports of officers of,                               | 116 163 237             |
|   | 238 (see appendix) 272  |
| Atwood, John, communication of,                               | 114                     |

## B

|  |  |
|--|--|
| Bankrupt act, in relation to,          | 113 129                                    |
| Banks and banking,                     | 89 103 137 150 167 185 193 213 214         |
|  | 221 233 244 (see appendix) 315 316 347 350 |
| Bennington and Windsor,                | 149 150 168 194 199                        |
| Blind, appropriation for education of, | 236 245 246 252                            |
| Bonds of state officers,               | 94 239 245                                 |
| Boscawen Artillery,                    | 230 232 246 247                            |
| Burley Gordon,                         | 125 126 127 134 135 172                    |
| Burnham John T.                        | 143 144                                    |

## C

|   |                            |
|---|----------------------------|
| Cavalry companies,  | 172 223                    |
| Carroll, Hart's Location, &c.,                                      | 73 87 224 230 245 251 254  |
| Chaplains,  | 13 14 251                  |
| Chairman chosen,  | 9                          |
| Chase, Hon. Horace,   | 75 98 109                  |
| Cheating by false pretences, bill in relation to,                   | 52 72 144                  |
|   | (see appendix) 355         |
| Close of the session,   | 68 125 179 182 194 257 258 |
| Clerk elected,  | 10                         |
| Commissary General elected,   | 90                         |
| Commissioners to revise statutes, compensation for preparing index, | 102 134 157 200 216        |
| Committee rooms,  | 65                         |

|  |                              |
|--|------------------------------|
| Committees standing,   | 63                           |
| “ joint,   | 64                           |
| Committee to nominate doorkeepers,   | 12                           |
| “ to wait on Governor and inform him that the legisla-<br>ture have assembled,       | 12                           |
| “ to prepare rules,  | 13                           |
| “ to prepare joint rules,  | 13                           |
| “ to count votes for Governor,   | 13                           |
| “ to invite the clergymen of the House to officiate as<br>chaplains,                 | 14                           |
| “ to inform Governor of his election,  | 16                           |
| “ to count votes for counsellors,  | 52                           |
| “ to procure printed rules,  | 60                           |
| “ to assign committee rooms,   | 62                           |
| “ to inform Governor of time and place of prayers,                                   | 62                           |
| “ to inform Governor of election of counsellors,                                     | 68                           |
| “ to fix on day for close of session,  | 68                           |
| “ to audit treasurer’s accounts,   | 69                           |
| “ on Governor’s message,   | 69                           |
| “ on the tariff,   | 77                           |
| “ in relation to refunding Gen. Jackson’s fine,                                      | 77                           |
| “ on interchange of judicial reports with other states,                              | 80                           |
| “ to receive bonds of state officers,  | 94                           |
| “ on the Asylum for the Insane,  | 117                          |
| “ to whom was referred the bill in amendment of chap.<br>228, R. S.                  | 137                          |
| “ on the geological survey of the state,   | 179                          |
| “ on amending chap. 146, R. S.   | 192                          |
| “ of conference on bill in amendment of chap. 172,<br>R. S.                          | 207                          |
| “ to receive bond of Warden of State Prison,   | 239                          |
| “ to wait on Governor and inform him that the legisla-<br>ture are ready to adjourn, | 256                          |
| Concord Bank,  | 71 122                       |
| Congregational Society in Concord,   | 161 205                      |
| Contingent expenses,   | 235 236 245 246              |
| Conventions of the two houses,   | 13 15 19 50 66 89 93 238 239 |
| County, new, petition for,   | 85 107 128 244               |
| County paupers, support of,  | 160 163 (see Paupers)        |
| Counsellors, return of votes for,  | 52                           |
| “ “ “ report on,   | 66                           |
| Counsellor, vacancy in district No. 1, filled,                                       | 67                           |
| Courts in Strafford county,  | 122 175                      |

## D

|   |                                   |
|---|-----------------------------------|
| Deaf and Dumb,                                | 236 245 246 252 253 256           |
| Districting the State,                        | 133 151 196 217 218               |
| Doorkeepers, committee appoiated to nominate, | 12                                |
| "    elected,                                 | 50                                |
| Dover Artillery,                              | 70 74 101 106 128 166 177 183 186 |
|   | 199 200 214 217 221 232 250       |

## E

|   |                             |
|---|-----------------------------|
| Education, bill in relation to,           | 121 128 130 132 136 221 249 |
| Electors of President and Vice President, | 143                         |
| Exempts from military duty,               | 102 187                     |
| Exeter Bank,                              | 74 137                      |
| Exeter Savings Bank, (see appendix,)      | 294                         |

## F

|  |                 |
|--|-----------------|
| Farmer's Bank,                                     | 74 137          |
| Franklin and Meredith, petitions for railroads to, | 106             |
| Freewill Baptist Book Concern,                     | 103 112 207 208 |

## G

|   |  |
|---|--|
| Geological Survey of the State,             | 121 178 179 185 200 223 224                            |
|   | 230 244 248 252 253 254 255 256 257 (see appendix) 301 |
| Georgia, resolutions of the legislature of, | 71 72 185 206  |
| Governor's address,                         | 19   |
| Governor, return of votes for,              | 13 15  |
| Granite Bridge,                             | 137 159 174 (see appendix) 312 374                     |

## H

|   |         |
|---|---------|
| Haverhill and Piermont union school district, | 105 236 |
| Hillsborough county school association,       | 105     |
| House organized,                              | 3       |
| "    rules of,                                | 12 52   |

## I

|   |                            |
|---|----------------------------|
| Illinois, resolutions of legislature of,                | 77 111 116                 |
| Imprisonment of citizens of one State in another State, | 92 206                     |
|   | 217 232 (see appendix) 323 |

|                         |                         |
|-------------------------|-------------------------|
| Inventories, return of, | 116 133 135 136 144     |
|                         | 150 158 194 216 221 250 |

## J

|   |                                    |
|---|------------------------------------|
| Jackson, Gen. Andrew, fine imposed by Judge Hall, | 77 111 116                         |
| Jailers,  | 176 177 178                        |
| Joint committees,                                 | 64                                 |
| Joint rules of the two Houses,                    | 11 13 61                           |
| Judicial reports, interchange with other States,  | 80 87 103 111                      |
|   | 112 126 127 137                    |
| Judiciary,  | 161 163 180 234 (see appendix) 354 |

## K

|  |             |
|--|-------------|
| Keeper of the State House appointed,     | 193 200 216 |
| Kentucky, resolutions of legislature of, | 165 206     |
| King Philip's Grant,                     | 85 107      |

## L

|  |                                   |
|--|-----------------------------------|
| Landaff, resolutions adopted at a town meeting of, | 117                               |
| Liability of stockholders,                         | 94                                |
| Liberty convention of Rockingham county,           | 165 205                           |
| Librarian of the State,                            | 126 184 158 172                   |
| Literary fund,                                     | 93 191 213 247 (see appendix) 293 |
| Lovejoy John W.,                                   | 84 143                            |
| Lowd Andrew,                                       | 115 121 187                       |

## M

|   |   |
|---|---|
| Maine, resolutions of legislature of,   | 77 111 116                                      |
| Manufacturing corporations, (see Revised Statutes, amendment to chapter 146.) |   |
| Massachusetts, resolutions of legislature of,                                 | 165 205   |
| Member's names,   | 4 145   |
| Meredith and Franklin, petition for railroads to,                             | 106   |
| Memorial of common school convention,   | 130   |
| “ of J. M'Daniel,   | 70 91 237 (see appendix) 332                    |
| “ of proprietors of King Phillip's Grant,                                     | 85 107  |
| Messages from the Governor,   | 71 77 79 82 87 88 92 93                         |
|   | 116 155 156 160 178 257                         |
| Messages from the Senate,   | 11 14 18 60 62 66 68 69 77 102                  |
|   | 111 114 126 154 160 167 176 179 194 222 227 235 |
|   | 239 243 244 247 249 250 251 252 254 255 257     |

|                                   |                         |
|-----------------------------------|-------------------------|
| Military officers, appointment of | 161 177                 |
| Militia,                          | 178 211 230 232 247 252 |
|                                   | [See petitions.]        |
| Mortgage of personal property,    | 196 223                 |

## N

|                       |                                     |
|-----------------------|-------------------------------------|
| Nashua and Nashville, | 65 71 85 193 196 (see appendix) 329 |
| Names of members,     | 3 145                               |
| Newbury,              | 70 85 100 101                       |

## O

|                            |   |
|----------------------------|---|
| Organization of the House, | 3 |
|----------------------------|---|

## P

|  |            |
|--|------------|
| Paupers, expenses in each county for the support of,             | 78 119     |
| 127 134 150 176 177 181 182 183 184 (see appendix)               | 355        |
| Personal liability of stockholders,                              | 94         |
| Petition, and proceedings thereon, of B. Abbott in behalf of Ex- |            |
| eter Bank,   | 74 137     |
| “ of Joel Angier jr.,  | 70 76      |
| “ of C. H. Atherton, agent of Farmers bank,                      | 74 137     |
| “ of R. Armington and others,                                    | 75 174     |
| “ of D. Bailey, jr.,   | 73         |
| “ of Benning M. Bean and others,                                 | 99 205     |
| “ of Samuel Bean “ “   | 106        |
| “ of James Boyce “ “   | 99 206     |
| “ of A. Boynton “ “  | 100 213    |
| “ of A. N. Brackett “ “  | 75 159     |
| “ of Lucy D. Brooks,   | 130        |
| “ of Abram Brown and others,                                     | 98 109     |
| “ of Simeon Brown and others,                                    | 85 165 166 |
| “ of Thomas Brown,   | 183 205    |
| “ of William Brown,  | 73         |
| “ of John T. Burnham,  | 85         |
| “ of Thomas Carlisle,  | 104 131    |
| “ of Thomas Carter and others,                                   | 71 112     |
| “ of Abraham H. Chandler and others,                             | 76 236     |
| “ of Amos Chase and others,                                      | 99 205     |
| “ Chatham, legal voters of,                                      | 120 164    |
| “ of John S. Cilley and others,                                  | 100 213    |

|   |                                       |
|---|---------------------------------------|
| Petition, (and proceedings thereon)                             |                                       |
| “ of Nath’l Clark and others.                                   | 106                                   |
| “ of John L. Colby and others,                                  | 75 109                                |
| “ of Stephen Collins and others,                                | 70 85 100 101                         |
| “ of J. S. Colman, and others,                                  | 83 205                                |
| “ of Amasa Copp and others,                                     | 83 205                                |
| “ of Hayes D. Copp,   | 74 175                                |
| “ of Concord Bank,  | 71 122                                |
| “ of Ethan A. Crawford,   | 173 213                               |
| “ of John Crocker and others,                                   | 75 106 249                            |
| “ of Zana Cutler and others,                                    | 249                                   |
| “ of Charles Cutter 2nd,  | 73                                    |
| “ of E. G. Dalton,  | 120 205                               |
| “ of Joshua Davis,  | 73 99                                 |
| “ of Charles Dennett and others,                                | 73 205                                |
| “ of Jonathan Dickerson and others,                             | 74 108                                |
| “ of Samuel Dickey,   | 75 174                                |
| “ of Lowell Eastman and others,                                 | 85 213                                |
| “ of John Evans and others,                                     | 106                                   |
| “ of Josiah Evans and others,                                   | 106                                   |
| “ of James Ferrin, jr.,   | 105 120 121 167 177 227 234           |
| “ of Cyrus Fitts,   | 163                                   |
| “ of Isaac C. Flanders and others,                              | 85 107 128 244                        |
| “ of Nath. P. Fogg and others,                                  | 120 205                               |
| “ of Chase Fowler and others,                                   | 75 109                                |
| “ of Israel Fuller jr. and others,                              | 100 106                               |
| “ of John Fuller and others,                                    | 71 99                                 |
| “ of G. C. Freeman and others,                                  | 76 129                                |
| “ of Stephen Gale and others,                                   | 106                                   |
| “ of Charles Gerrish and others,                                | 120 186                               |
| “ of Joseph M. and Lucinda C. Givin,                            | 84 131 135 157<br>162 216 240 246     |
| “ of J. D. Goodrich and others,                                 | 181 214 233 234<br>[see appendix] 347 |
| “ of John Greenfield and others,                                | 86 106 249                            |
| “ of D. A. Gregg and others,                                    | 75 174                                |
| “ of George Griffin and others,                                 | 75 174                                |
| “ of Ephraim Hackett and others,                                | 100 106                               |
| “ of Timothy Hackett and others,                                | 100 106                               |
| “ of Clark J. Haines and others,                                | 127 128 167                           |
| “ of Salma Hale and others,                                     | 71 106                                |
| “ of Joseph Hall and another,                                   | 115 236                               |
| “ of Haverhill and Piermont, inhabitants of school district in, | 105 236                               |

|   |                             |
|---|-----------------------------|
| Petition, (and proceedings thereon)             |                             |
| “ of John Hayes and others,                     | 130 205                     |
| “ of Hillsborough county school association,    | 105                         |
| “ of Nathaniel B. Hoit,                         | 142                         |
| “ of Robert Hopkins,                            | 105 165 176 177 183 240 246 |
| “ of Modeline P. Howard,                        | 73                          |
| “ of Lydia Jewell,                              | 83                          |
| “ of Ichabod S. Johnson,                        | 84 108                      |
| “ of Jacob Loughton and others,                 | 105 237                     |
| “ of E. S. Lawrence and others,                 | 106                         |
| “ of Liberty Convention of Rockingham county,   | 165 205                     |
| “ of James M. Lovering and others,              | 84 131                      |
| “ of Joshua S. Mathes and others,               | 100 213                     |
| “ of Jane McDavitt,                             | 70                          |
| “ of Enoch Merrill and others,                  | 106                         |
| “ of Robert Mitchell and others,                | 71 99                       |
| “ of Nathaniel Moore,                           | 73 86                       |
| “ of Selectmen of Newbury,                      | 70                          |
| “ of Jeremiah Norcross and others,              | 84 132                      |
| “ of Warren Nutter and others,                  | 98 175                      |
| “ of Thomas F. Odell,                           | 205 234                     |
| “ of Daniel Osborne in behalf of Strafford Bank | 120                         |
| “ of James Page and others,                     | 85 107                      |
| “ of Laban Page,                                | 162 229                     |
| “ of Levi Parker,                               | 75                          |
| “ of J. C. Patterson and others,                | 100 106                     |
| “ of J. J. Peavey,                              | 73                          |
| “ of Amos Perkins and others,                   | 105 116 143                 |
| “ of Eri Perkins and others,                    | 72 205                      |
| “ of Henry S. Perrin and others,                | 86 165                      |
| “ of Geo. M. Phelps and others,                 | 106                         |
| “ of Franklin Pierce and others,                | 91 133                      |
| “ of Jarvis Pike and another,                   | 73                          |
| “ of Samuel Potter and others,                  | 115 212                     |
| “ of Nathaniel Prime,                           | 115                         |
| “ of Samuel Quarles and others,                 | 86 106 249                  |
| “ of John Ramsay and others,                    | 100 106                     |
| “ of Jonathan Rawson and others,                | 105 131                     |
| “ of Josiah Richards and others                 | 214 231                     |
| “ of Albert Riddle and others,                  | 84 161                      |
| “ of Nathaniel Rix, Jr.                         | 105 165                     |
| “ of Samuel Robbins, 3d,                        | 120                         |
| “ of Samuel Robie and others,                   | 142 174 175                 |
| “ of Chandler Russell,                          | 73                          |

|   |                       |
|---|-----------------------|
| Petition, (and proceedings thereon)                           |                       |
| “ of Josiah Russell,  | 100 106               |
| “ of Isaac Sanderson and others,                              | 165 205               |
| “ of A. M. Sawyer and others,                                 | 70 161                |
| “ of Luther D. Sawyer and others,                             | 161                   |
| “ of John Savage,   | 73                    |
| “ of David Secombe and others,                                | 120 164               |
| “ of Elijah Shaw and others,                                  | 83 205                |
| “ of Smith Sherman and others,                                | 105 191               |
| “ of James Simpson and others,                                | 106                   |
| “ of Ralph Smith, 2d, and others,                             | 83                    |
| “ of Selectmen of Somersworth,                                | 73                    |
| “ of William Southard and others,                             | 173 236               |
| “ of Jonathan Steele and others,                              | 120 213               |
| “ of E. F. Stevens, Jr. and others,                           | 142 205               |
| “ of Geo. W. Sumner and others,                               | 104                   |
| “ of J. W. Tappan and others,                                 | 76 129                |
| “ of John Tarlton, 2d,  | 71                    |
| “ of Henry Tebbetts and others,                               | 121 249               |
| “ of John Thing,  | 83                    |
| “ of A. S. Tilden and others,                                 | 74 161                |
| “ of Jeremiah C. Tilton,                                      | 120 190 215 240 246   |
| “ of Reuben Tuce,   | 76 129                |
| “ of Horatio Gates Tucker,                                    | 83                    |
| “ of Robert Tuttle and others,                                | 73 224                |
| “ of Isaac Twombly,   | 84 85 150             |
| “ of Moses Walker and others,                                 | 76 129                |
| “ of Joseph Wallis,   | 83                    |
| “ of Greenleaf P. Warner and others,                          | 98                    |
| “ of Andrew Watkins, Jr.,                                     | 76 129                |
| “ of Thos. Y. Wentworth,                                      | 105 237               |
| “ of John Whipple and others,                                 | 185 211               |
| “ of Elizabeth Whitehouse and others,                         | 73                    |
| “ of James M. Whitehouse and another,                         | 73                    |
| “ of Isaac Whittier and others,                               | 85                    |
| “ of Zebulon J. Wiggin,                                       | 84 99                 |
| “ of Jeremiah H. Wilkins in behalf of Winnipissiogee<br>Bank, | 94 131 132            |
| “ of Levi Wilkins,  | 100 106               |
| “ of Levi Wilson and others,                                  | 85 132                |
| “ of 1st regt., Artillery of,                                 | 74 190 191            |
| “ of 2d “   | [see Dover Artillery] |
| “ of “ “ officers of,   | 130                   |

|  |                                       |
|--|---------------------------------------|
| Petition, (and proceedings thereon)  |                                       |
| “ of 3d regt., artillery of,   | 98 114 128 129 136<br>137 150 168 200 |
| “ of 8th “ officers of,  | 130                                   |
| “ of 13th “ “  | 70                                    |
| “ of 15th “ field officers of,   | 116 142                               |
| “ of 16th “ officers of,   | 130                                   |
| “ of 17th “ 2d co. of Infantry of,   | 163 211                               |
| “ of 18th “ field officers of,   | 98                                    |
| “ of 20th “ officers of,   | 163                                   |
| “ of 21st “ “  | 130 143                               |
| “ of “ “ field officers of,  | 99 211                                |
| “ of 22d “ “   | 74 87                                 |
| “ of “ “ Lafayette artillery of,   | 74 108 162 175                        |
| “ of 24th “ officers of,   | 73 74                                 |
| “ of 25th “ Lafayette artillery of,  | 74                                    |
| “ of 28th “ Artillery co. of,  | 84 108 112 115 165<br>177 183 221     |
| “ of 28th “ Washington Cadets of   | 74                                    |
| “ of 28th “ 1st Rifle of,  | 73 87                                 |
| “ of 31st “ field officers of,   | 70                                    |
| “ of 37th “ field officers of,   | 73                                    |
| Piermont and Haverhill, union school district,   | 105 236                               |
| Poor debtors,  | 113 129 137 173 174                   |
| President of U. S., resolution in relation to inviting him to the<br>Capital of N. H., | 14 16                                 |
| Probate court in Carroll county,   | 62 72 108 119 154                     |
| Proceeds of the sales of the public lands,   | 168 169                               |
| Public lands of this State,  | 186 (see appendix) 297 298            |

## R

|  |  |
|--|--|
| Railroad, Concord,                         | 237 245 251 252 [see appendix 308        |
| “ Eastern,                                 | [see appendix] 307                       |
| “ East Wilton,                             | 100 106 172 212 232 250                  |
| “ petitions for, to Meredith and Franklin, | 106                                      |
| “ Great Falls and Conway,                  | 75 81 86 92 106<br>107 121 134 250       |
| “ Maine,                                   | [see appendix] 305                       |
| “ Nashua and Lowell,                       | [see appendix] 303                       |
| “ Northern,                                | 74 88 133 138 158<br>179 181 212 232 250 |
| “ Piscataquog,                             | 121 164 167 212 232 250                  |
| Register of Probate,                       | 229 234 235 247 252                      |

|  |                                 |
|--|---------------------------------|
| Report of committee on returns of votes for Governor,          | 15                              |
| “ “ “ “ for Counsellors,                                       | 66                              |
| “ “ on elections,  | 144                             |
| “ “ on State Treasurer's account,                              | 109                             |
| “ of officers of the State Prison, [see appendix]              | 259                             |
| Resolutions of the legislature of Kentucky,                    | 165 206                         |
| “ “ “ Massachusetts,   | 165 205                         |
| “ “ “ Georgia and Alabama,                                     | 71                              |
| “ “ “ “  | 72 185 206                      |
| “ “ “ Maine and Illinois,                                      | 77                              |
| “ “ “ “  | 111 116                         |
| “ of the town of Landaff,                                      | 117                             |
| “ in favor of sundry persons, [see Account]                    |                                 |
| Revised Statutes, amendments, mode of engrossing,              | 126 172                         |
| “ “ amendment to 9th chap.                                     | 217                             |
| “ “ “ 23d “  | 109 112 119 154                 |
| “ “ “ 28th “   | 18 62 72 121                    |
| “ “ “ “  | 132 133 157                     |
| “ “ “ 39th “   | 81 101 168 173 192              |
| “ “ “ “  | 215 240 245 246 247             |
| “ “ “ 49th “   | 169 184 212 232                 |
| “ “ “ 55th “   | 160 207                         |
| “ “ “ 71st “   | 133 134 158                     |
| “ “ “ “  | 177 183 250                     |
| “ “ “ 72d “  | 130 156                         |
| “ “ “ 73d “  | 159 163 164 179 180             |
| “ “ “ 76th “   | 167 177 183 200 201             |
| “ “ “ 93d “  | 80 91 103 166                   |
| “ “ “ 100th “  | 102 112 131 157 158             |
| “ “ “ “  | 210 211 229 232 245             |
| “ “ “ 113th “  | 192 217 232 247                 |
| “ “ “ 117th “  | 83 93 120 130 142 161           |
| “ “ “ “  | 183 205 206 224 227 233 240 250 |
| “ “ “ 124th ch.  | 104 127 135 163 200             |
| “ “ “ 132d “   | 223 [see Mortgage of            |
| “ “ “ “  | personal property]              |
| “ “ “ 140th “  | 176 182 193 215 247             |
| “ “ “ 145th “  | 50 80 108 119 250               |
| “ “ “ 146th “  | 94 184 191 192                  |
| “ “ “ “  | 217 232 247 248 252             |
| “ “ amendment to the 150th and in addition to the 155th chap., | 154 163 180                     |

|  |     |     |     |                 |
|--|-----|-----|-----|-----------------|
| Revised Statutes, amendment to 171st ch. | 83  | 101 | 103 | 132             |
| “ “ “ 172d ch.                           | 81  | 86  | 102 | 104 126 129     |
|  | 136 | 201 | 207 | 228 238         |
| “ “ “ 185th “                            |     | 62  | 80  | 87 116          |
| “ “ “ 214th “                            |     |     |     | 82 207          |
| “ “ “ 215th “                            | 78  | 144 | 150 | 168 250         |
| “ “ “ 222d “                             | 78  | 144 | 150 | 168 250         |
| “ “ “ 225th “                            |     | 182 | 192 | 217 232         |
| “ “ “ 226th “                            |     |     |     | 157 163         |
| “ “ “ 227th “                            |     |     |     | 222 233         |
| “ “ “ 228th “                            |     |     |     | 135 137 160     |
|  |     |     |     | 174 201 215 240 |
| “ “ amendments to,                       |     |     |     | 75 256          |
| Rules for the government of the House.   |     |     |     | 12 52           |

## S

|  |     |     |     |                                |
|--|-----|-----|-----|--------------------------------|
| Sale of ardent spirits, [see Revised Statutes, amendments to the 117th chapter.] |     |     |     |                                |
| Schools and school houses,   | 113 | 132 | 133 | 136 191                        |
| School returns,  |     | 143 | 150 | 168 250                        |
| Secretary of State elected,  |     |     |     | 89 90                          |
| Senate, vacancies in, filled,  |     |     |     | 51                             |
| Session, commencement of,  |     |     |     | 3                              |
| “ close of,  |     |     |     | 258                            |
| Small pox, bill to prevent,  | 136 | 192 | 217 | 232                            |
| Speaker elected,   |     |     |     | 9                              |
| Speaker's addresses,   |     |     |     | 10 250                         |
| Standing committees,   |     |     |     | 63                             |
| State arms, bill providing for safe keeping of,                                  | 159 | 177 |     | 183                            |
| State, money raised for use of,  |     | 235 | 245 | 246                            |
| State printers elected,  |     |     |     | 93 94                          |
| “ officers, bonds of,  |     | 94  | 239 | 245                            |
| “ money to be borrowed for use of,   | 214 | 232 | 240 | 246                            |
| “ contingent expenses of,  |     | 235 | 236 | 245 246                        |
| State Prison, bill in relation to,   |     |     |     | 78 91                          |
| “ “  | 103 | 113 | 125 | 138 155 166 193 194            |
|  | 223 | 228 | 229 | 230 232 233 236 238 243        |
|  | 246 | 247 | 251 | 252 [see appendix] 318 324 338 |
| Strafford Bank,  |     |     |     | 120                            |
| Strafford county courts,   |     |     |     | 122 175                        |

## T

|                                  |                    |
|----------------------------------|--------------------|
| Time of assembling of the House, | 12 65              |
| Treasurer of the State elected,  | 90                 |
| Taxes, bill in relation to,      | 112 173            |
| Treasurer to borrow money,       | 214 232 240 246    |
| Treasurer's estimate,            | [see appendix] 292 |

## V

|  |     |
|--|-----|
| Vacancies in the Senate filled,            | 51  |
| "    in counsellor district No. 1, filled, | 67  |
| Votes for Governor,                        | 15  |
| "    for counsellors,                      | 66  |
| Vote of thanks to Speaker,                 | 250 |

## W

|                                 |                    |
|---------------------------------|--------------------|
| Warden of State Prison elected, | 238 239            |
| West Point Military Academy,    | 81 166 234         |
|                                 | [see appendix] 325 |
| Winnipissigee Bank,             | 94 131 132         |

## Y

|   |     |
|---|-----|
| Yeas and nays on taking from the table the resolution, in relation to the appointment of a committee to consider the expediency of inviting the President of the United States and cabinet to the capital of New Hampshire, | 16  |
| "    "    on laying on the table and making the special order of the day for the Tuesday following, the resolution in relation to amending the Revised Statutes in relation to personal liability of stockholders,          | 95  |
| "    "    on the motion to amend the resolution reported by the committee on Banks, so that the State treasurer should be directed to pay from the literary fund five hundred dollars to the Concord Bank,                  | 122 |
| "    "    on the amendment to the amendment to the bill, incorporating the Northern railroad,   | 139 |

|               |   |     |
|---------------|---|-----|
| Yeas and nays | on the motion to postpone indefinitely the bill, districting the State for the choice of members of Congress,   | 151 |
| "             | " on the motion to postpone indefinitely the resolution, directing the State treasurer to receive the portion of the sales of the public lands allotted to N. H.                                      | 169 |
| "             | " on the resolution of the committee on Military Affairs in relation to exempts from military duty,   | 187 |
| "             | " on indefinitely postponing several bills in relation to the towns of Nashua and Nashville,  | 196 |
| "             | " on the resolution, indefinitely postponing the bill in amendment of chap. 228 R. S.   | 201 |
| "             | " on indefinitely postponing the bill incorporating the Free Will Baptist Book Concern,   | 208 |
| "             | " on indefinitely postponing the resolution, directing the selectmen of the several towns to insert an article in the warrant for the next annual town meeting, in relation to districting the State, | 218 |
| "             | " on the resolution reported by the committee on the Judiciary, declaring it inexpedient to amend chapter 117, R. S.,   | 224 |
| "             | " on the amendment proposed by the Senate to the bill in amendment of chapter 228, R. S.  | 240 |





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